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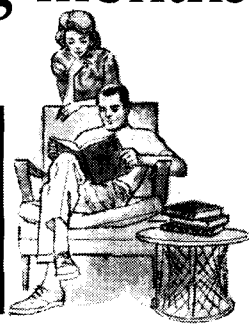

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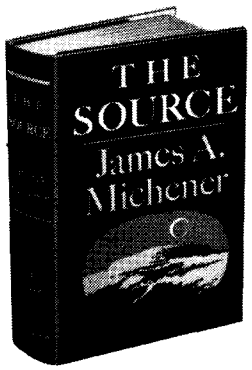

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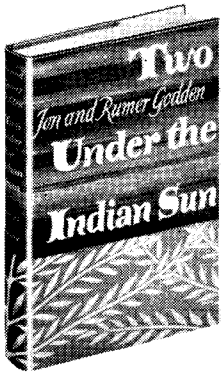

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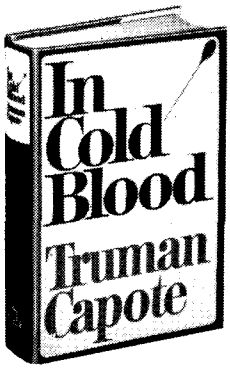

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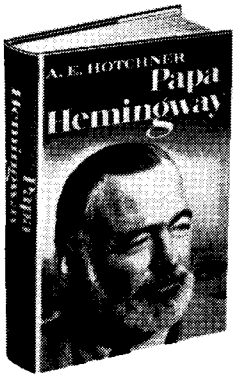

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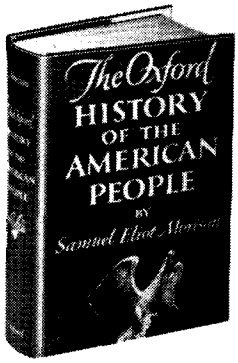

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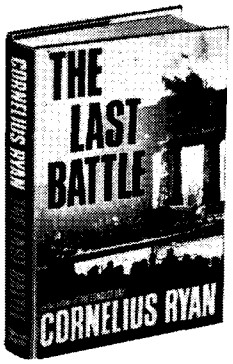

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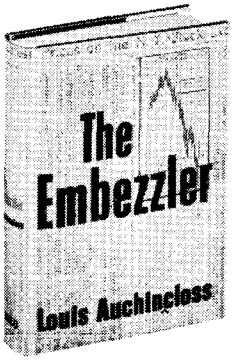

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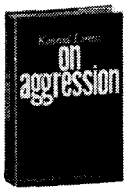

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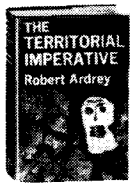

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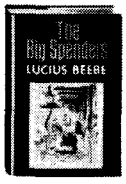

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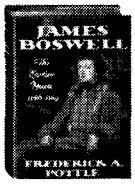

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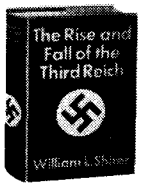

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WHO— WHAT— WHY—

IN HIS editorial, **Max Ascoli** writes about what is at the same time the ultimate and the frailest of commonwealths—the U.N. In the first year of *The Reporter* he called attention to the missing "O" in what every European country calls the United Nations Organization. The dropping of the "O" created a singular confusion among well-meaning Americans equally devoted to their country and to the international organization. And so the U.N. came to be considered what it was never supposed to be, the beginning of a world government.

A commonwealth of nations with which we are far more vitally identified is NATO, or the Atlantic Community. The most exposed part in that system —West Germany—is now going through a period of acute pangs. Some blame our concentration on Asia and Vietnam, others our relaxation of tension with the Soviet Union, but anyway the Germans are unhappy. As **George Bailey** reports, the situation bears close watching, for the Germans cannot stay alone, and if they cannot be with us they are likely to look for companionship in the Soviet Union, a prospect that would not leave the men in the Kremlin unhappy. . . . A crisis in a third international grouping seemed to be in the making when **Claire Sterling** went to London, but for the time being and Rhodesia notwithstanding, the British Commonwealth survived the test of its conference.

FELIX FRANKFURTER was right: the Supreme Court's first steps into the political thicket of redistricting have brought into question the foundations of the American political system. Even following its own precedents, the court can go only so far, for "one man, one vote" is not a tenet of the Constitution. A call for a Constitutional amendment, however, may well follow from a proposed court test of the Electoral College's "winner-take-all" system of electing the President. **Neal R. Peirce,** political editor of *Congressional Quarterly*, provides the background for *Delaware* v. *New York*, as the case is called on the Supreme Court calendar for the upcoming term. . . . Those of us who spoke harshly about the late South African Prime Minister, Dr. Hendrik Verwoerd, may soon remember him as a moderate—at least by comparison with his successor, Balthazar Johannes Vorster. **Anthony Delius,** who is on the staff of the *Cape Times* of Cape Town, tells what's ahead for his country. . . . Is the Upward Bound program a worthy and dynamic attempt to stir latent talents among underprivileged young people, or is it an unintentionally cruel fraud? The experience of last summer's initial program has produced both estimates and a good deal of controversy. **Mark Levy,** a political analyst with NBC News, reviews the record. . . . Ohio's Republican governor, James A. Rhodes, is a hard man to pin down on his state's poor record in race relations and public services, but, according to **Abe S. Zaidan,** Columbus correspondent of the Washington *Post*, he enjoys his job to the full and appears to have the formula for keeping it this November.

TROUBADOURS are, by and large, a noble breed. But in this complicated world two street musicians have become a Constitutional test case, the question being the right of the individual to be what might be considered eccentric. **James D. Zirin,** a street-singing buff and lawyer, was himself a volunteer attorney for the New York Civil Liberties Union in the case of Brown and Bandy. . . . **Alfred Werner** describes the multimedia exhibition which will be at the Jewish Museum in New York City through November 6. . . . **Roland Gelatt** is editor-in-chief of *High Fidelity*. . . . **Richard Mayne** is the author of *The Community of Europe*, available from Norton both in cloth and in paperback. . . . *Views From a Ferris Wheel* by **Robert Wallace** was published by Dutton. Mr. Wallace teaches in the English Department at Western Reserve University. . . . **John Mecklin,** who worked as a journalist in Vietnam from 1953 to 1955, returned to Saigon to serve as Public Affairs Officer from 1962 to 1964, the period of the coup d'état and the overthrow of Ngo Dinh Diem. Out of these experiences came his book *Mission in Torment*, which was published by Doubleday last year.

Our African cover is by **Mozelle Thompson.**

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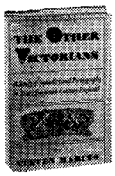

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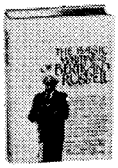

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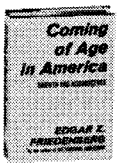

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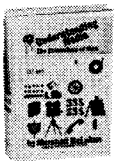

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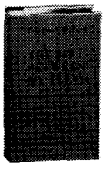

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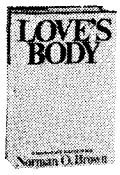

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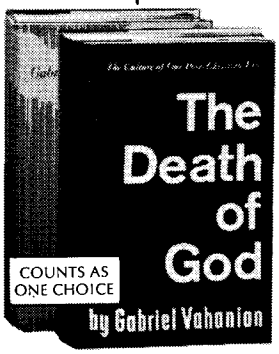

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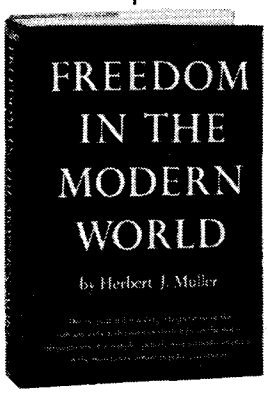

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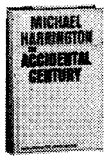

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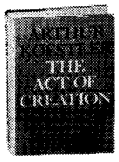

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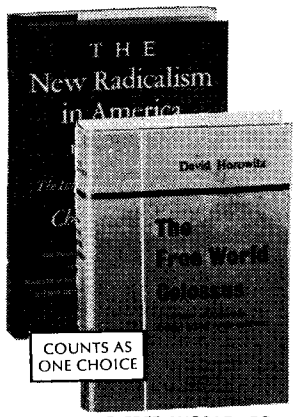

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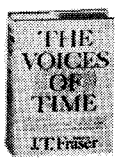

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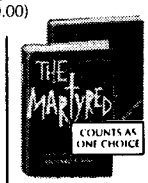

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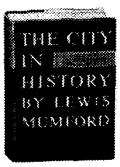

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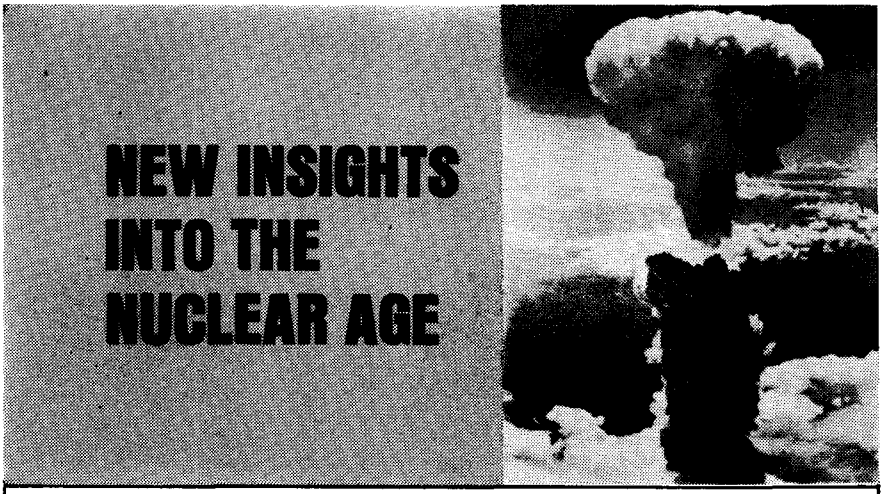

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CORRESPONDENCE

PRODIGAL NATION

To the Editor: Your editorial "The Prodigal Nation" (*The Reporter,* September 8) is superb.

To my mind, and as a brilliant epitomization of our national policy, it deserves incorporation, lock, stock, and barrel, in the *Congressional Record,* for one thing; but in addition, one wishes it might reach the doorstep of every literate individual in our land.

You have perfectly outlined the basic facts relevant to our policy and in addition have given them a philosophic interpretation such as to endow them with a truly irrebuttable quality.

You have driven home the concept that twice in a generation this nation has pledged its total resources in opposition to every effort of the exploitative powers of totalitarianism to aggrandize its influence and holdings. In this respect, the answer is, in my opinion, final.

WILLIAM B. GLOVER
Tucson, Arizona

To the Editor: In "The Prodigal Nation" you say that ". . . the best this nation can do is intervene in those spots where Communists use or threaten force to bring about changes in their favor." Unfortunately, nothing is clear-cut any more (if it ever was)—the threatened or actual force may be non-Communist with Communist backing (as in the Dominican Republic) or Communist-led but enjoying a good deal of popular support (as in South Vietnam).

The editorial ascribes very noble purposes to our presence in Vietnam, and indeed noble ideals do partially explain our Vietnam commitment. The fact remains, however, that our basic concern is not with the people of South Vietnam but with American national interest. If we were as concerned with people's freedom as you imply, it seems as though we would do more for people suffering under non-Communist tyranny, such as those in Rhodesia and South Africa.

I think that whether or not our national interest is served by being in Vietnam is open to debate, but I also think we should be honest as to why we are there. The "peace and freedom" line is all right coming from the Secretary of State, but one expects more from a usually perceptive editor.

ROY CHRISTMAN
State College, Pennsylvania

MASSACHUSETTS

To the Editor: The value of your magazine in supplying information not provided by the newspapers and news magazines and interpretation of complex stories that other media simplify for a mass audience was again proved to me by Martin F. Nolan's "Teddy and Eddie Revisited" in your Septem-

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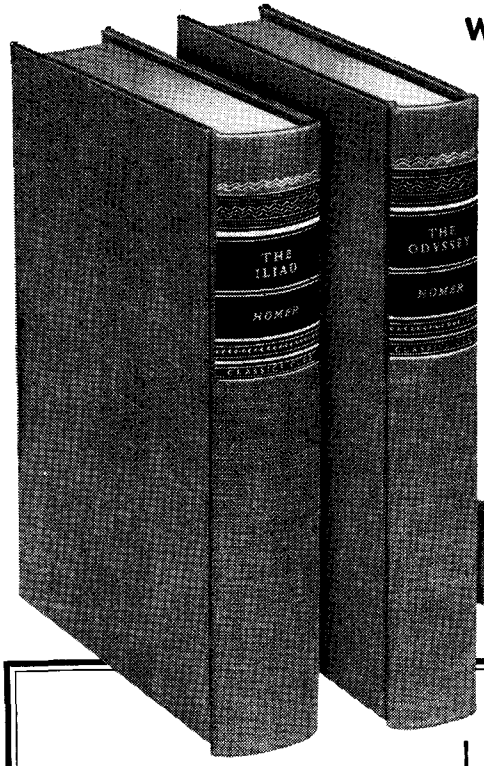

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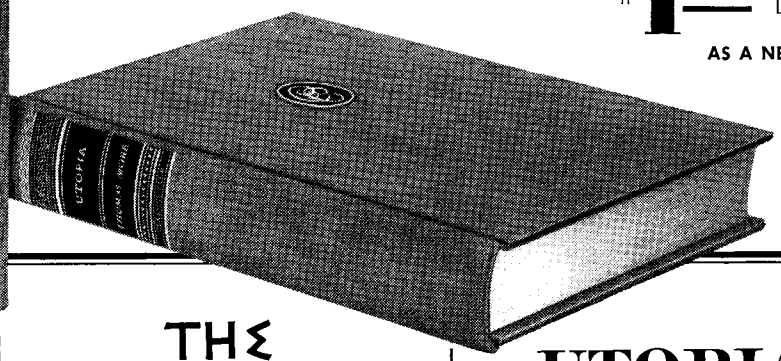

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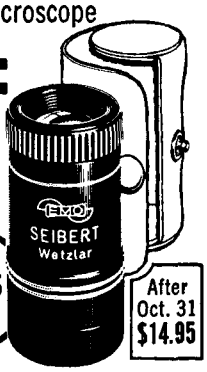

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ber 8 issue. The papers I read all called Kenneth O'Donnell's defeat in his bid for the Democratic nomination for governor in Massachusetts a defeat for Robert F. Kennedy. As Mr. Nolan pointed out, Bobby duly paid the Kennedy family debt to O'Donnell by making campaign appearances for him, but he did not lay his prestige on the line. Actually, O'Donnell's defeat was a Kennedy victory—a victory for Teddy, custodian of the family interests in what used to be their home state.

B. F. CAGE
New York

ATLANTIC ALLIANCE

To the Editor: Henry A. Kissinger's statement regarding the U.S. policy toward Europe ("For a New Atlantic Alliance," *The Reporter,* July 14) is indeed one of the best articles on the problem I have ever read and I thoroughly agree with the views on it expressed by reader Henri M. Peyre in the September 8 issue of your magazine.

I came to this country from Europe one year ago and I must admit that I was quite disappointed with the general quality of the U.S. press, at least at the beginning. Your magazine, which I consider to be outstanding in its category, has helped to partly correct my initial impressions. Thank you for providing your readership with such excellently written and well-researched articles. I hope that you will continue in this manner for many years to come.

B. H. SCHATZMANN
Visiting Associate Professor
of International Business
University of Alabama

GUIDEPOSTS

To the Editor: I have been doing research in the area of wage and price guideposts, particularly due to the changing Administration views, and welcome A. H. Raskin's "An Open Door to Inflation?" (*The Reporter,* September 8) as a contribution to my information.

PETER H. DOMINICK
United States Senate

INDONESIAN BLOODSHED

To the Editor: No doubt we should welcome Indonesia's announced intention of rejoining the United Nations. But Donald Kirk's article ("Sukarno's Holdouts in Central Java," *The Reporter,* September 8), with its forecast of a possible new wave of political murders and civil war there, makes this reader wonder if the U.N. should not first exact some conditions from the returning member.

A first step would be an investigation by a U.N. commission on the reports of the hundreds of thousands of deaths that accompanied the change of political control in Indonesia, not to mention the thousands more living—and dying—in jails as political prisoners of the new régime. It does not matter what political conviction these

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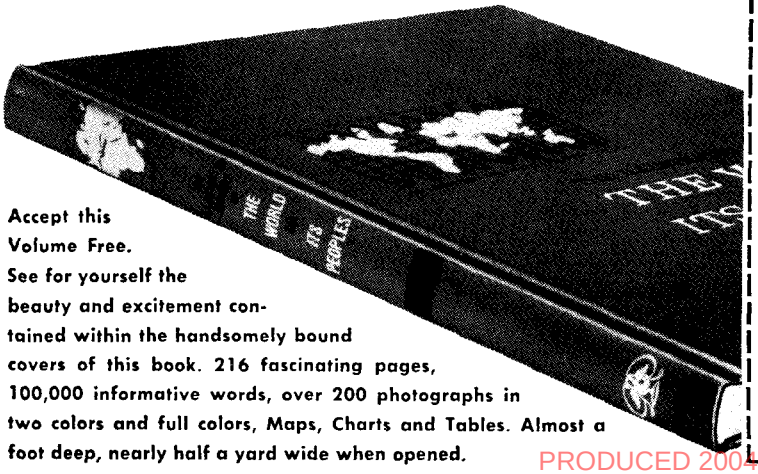

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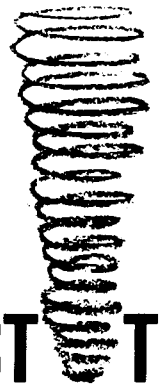

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people upheld—and doubtless many of them were victims of nonpolitical vendettas—but it does matter that the world community seems to find this slaughter no bar to membership in the United Nations.

Sukarno's pro-Communist government was no paragon; the Moslem generals' anti-Communist régime also has much to answer for. If the United Nations will not speak for the dead and imprisoned, who will?

ARTHUR GAMMAGE
New Haven, Connecticut

GUESSING GAME

To the Editor: I have always been fascinated by "The Reporter's Notes" section. Rarely is any indication of authorship given, and since I assume that they are written by members of your staff or regular contributors, I play a fortnightly game of trying to guess who wrote what. Your September 8 issue contains two Notes whose authorship, it seems to me, is unmistakable. "Hit and Miss Parade" and "Beating the Machine" both surely came from the pen of Meg Greenfield? Both are delightfully nuanced satirical gems.

GEORGE MORTON
Chicago

EDITOR'S NOTE: Score one right and one wrong.

PAY THE PROFS

To the Editor: Your Note on the faltering Teachers Corps ("The Reporter's Notes," September 8) once again puts the blame on government for the setbacks annually experienced in providing the best education for our youngsters. I say this is a lot of baloney. There is only one way to get good teaching and that is for school boards to pay a living wage to teachers—and make the taxpayers deliver the cash.

EDWARD EMMONS
Syracuse, New York

BRAZIL

To the Editor: The conclusion of Nicholas Raymond and Winthrop P. Carty that Brazilians are "generally agreed" that the military domination is "a good thing" ("Elections in Brazil: The Revolution Digs In," *The Reporter*, September 8) is in my experience correct only if "generally" means agreement of the generals.

On a recent visit to Brazil I found the "campaign" of the only candidate for President, General Costa e Silva, was widely treated as a bitter joke. After a swing through provincial cities, where the general seemed most to enjoy the daily cocktail parties given by the local brass, a Brazilian newsman who went along told me, "This was a trip of a Roman commander through the captive provinces."

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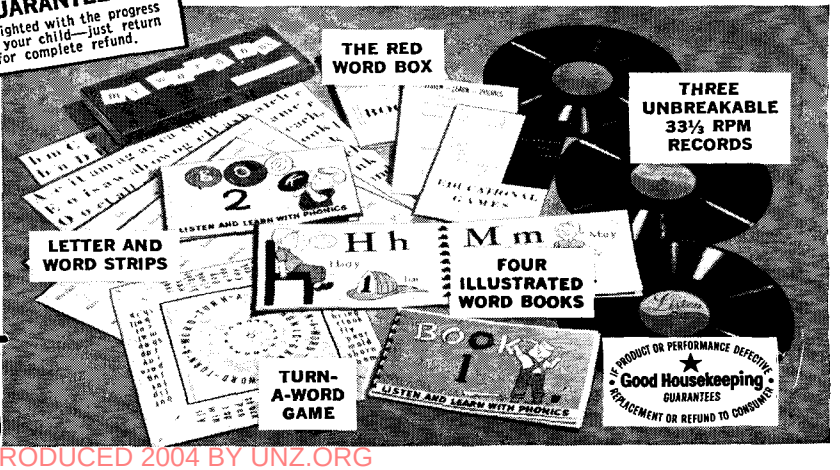

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THE REPORTER Puzzle

Acrostickler® No. 155

by HENRY ALLEN

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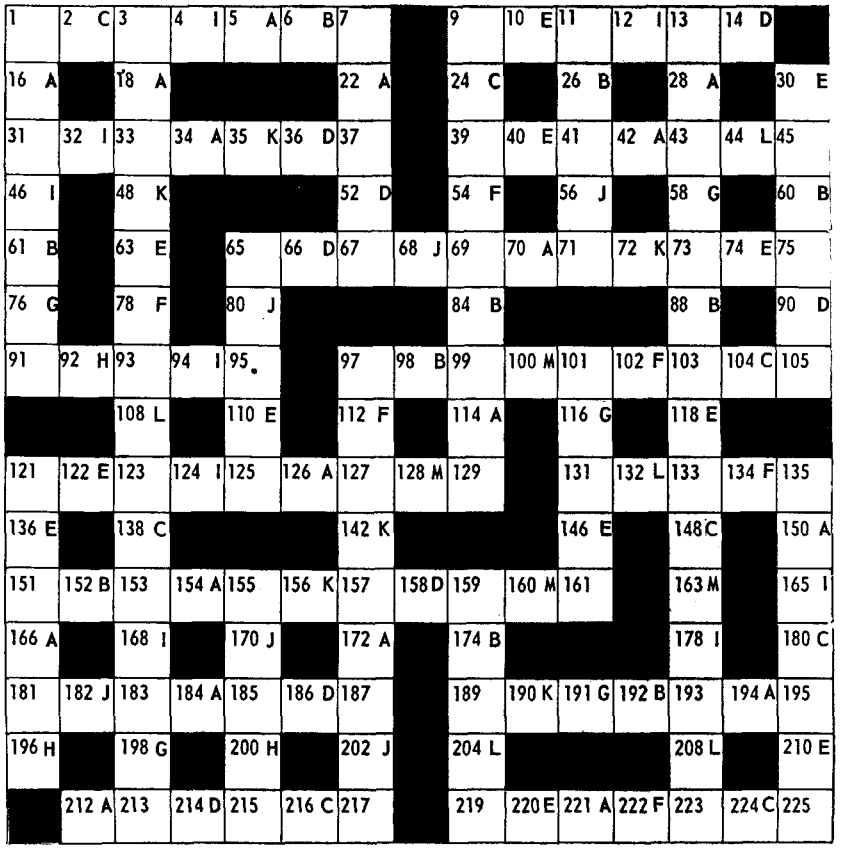
DIRECTIONS

1) Each crossword definition contains two clues. One is a conventional synonym; the other a pun, anagram, or play on words.
2) Letters from the acrostic should be transferred to the corresponding squares in the crossword, and vice versa.
3) The initial letters of the correct words in the acrostic will, when read down, spell out the name of a prominent person: the Acrostician.



A
166 28 18 154 184 42 221 34 70 150 5 172
194 16 126 114 212 22 The Acrostician performed his notable feat to prove this (6,2,1,9).

B
192 88 98 6 60 26 84 174 152 61 City in New Jersey.

C
2 216 138 148 104 180 224 24 Dried stem of a particular grain (3,5).

D
36 14 90 66 158 186 52 214 Sprang back.

E
146 110 10 220 40 74 122 30 63 210 136 118 What a shipboard romance must do (6,6).

F
54 134 112 222 78 102 A dish served between the chief courses.

G
116 76 58 191 198 State flower of New Mexico.

H
92 196 200 "A monstrous _____was of old the Lord and Master of Earth." Tennyson, "Maud."

I
168 32 12 178 4 124 46 94 165 A very pest (4,5).

J
68 170 56 182 202 80 Twaddle.

K
142 156 48 72 190 35 Pertaining to a certain kind of type or edition, originating in Venice.

L
132 208 108 204 44 American politician, 1837-1904.

M
160 128 163 100 "An erring _____, which here and there / Enthrals the crimson stomacher." Herrick, "Delight in Disorder."

ACROSS

1. Essential equipment of the Acrostician (3-4).
9. First-class poet breaks up with a drug.
31. Another name for a kind of 9 across.
39. Coming time when the Wye is in near proximity (3,4).
65. Food suitable for ski troops? (4,7).
91. The kind of rent that's mostly comfort.
97. Comets she plots to employ (7,2).
121. Full springe part L.A. den (5,4).
131. In the not mine?
151. Sugars and spices in the classroom.
181. Superior lover, Al!
189. Crawlers of measured distances?
212. Not even a listener rode in these times. He hears peculiarly (3,3).
219. Scotch purse or ran with an afterthought.

DOWN

1. This kind of sheep consumes auk and lark both.
3. Sewing equipment essential in locale of the Bank of England (6,3,6).
7. Lines of the German island.
9. Kind of vessel for one in possession.
11. A twin I find has a conscience (obs.)
13. Result of half-year labor of seven maids and seven mops? (3,5,2,5).
30. Kind of painting for a loud score.
65. It's spotless in Uncle Andrew's room.
97. Let him stagger with R. L. Stevenson. He's way behind anyway.
101. Tales for lisping 151 across.
121. Final portion in the blast-off (4,2).
135. E. N. Morse finds the American philosopher.
155. Apostrophize the price and make a speech.
159. Sir, an example of these seldom falls in parts of Spain.

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Tactical Radio: A report from General Dynamics

In old suspense movies there always seemed to be a sequence in which the fleeing suspect tunes his car radio to the police band, hears: "Car 64, fugitive headed your way—intercept." Whereupon, suspect swings away and escapes.

Even today, by and large, if police car A wants to reach squad car B one mile away, willy-nilly, cars C, D, and E, all tuned to the same channel, have to listen too. And so can lots of unofficial ears.

This problem is compounded a thousandfold by modern military tactical requirements. Hundreds of squads, vehicles, and individuals may be operating separately over a wide area, all scrambled up with enemy units.

On occasion a commander must broadcast orders to a hundred squads at once. But he may also need to talk to a single intelligence scout hidden hundreds of miles away. Or an individual unit may have to call another unit with information or to call for support, without hundreds of ears, friend or foe, all automatically listening too.

Radio sets just that selective are now being delivered or developed by General Dynamics. Small and rugged enough to go anywhere a man can go, and simple to operate, the new radios are a key to modern tactical mobility.

From 2 to 74,000:

World War II walkie-talkies had one or two channels. The new sets have from 28,000 to 74,000 different channels for voice or teletype communication. A generation ago, a mere 12 channels called for a large fixed installation. Now one with some 45,000 channels will be carried on a man's back. The biggest one can fit the back seat of a jeep.

The enormous number of channels permits direct "calling numbers" for hundreds, even thousands, of other radios within sending and receiving range. Each set, in fact, has a number of different calling numbers that can be changed in prearranged groups every day, every hour or in rapid sequence on a moment's notice to aid security.

The new combat radios are based primarily on an old principle—single sideband transmission. It took developments of the past decade, however, in both solid-state electronics and ultra-miniature packaging to make practical such sets for mobile ground use.

On an oscilloscope, an AM (amplitude modulation) radio wave looks like a single line. Actually that line is made up of three distinct parts: a central carrier and two sidebands.

The central carrier is generated at a specific frequency—in effect its "address." When modulated, (that is, the message added) two sidebands come into being to carry the actual information. Both bear identical "intelligence."

Less becomes more:

SSB techniques filter out the central carrier and one redundant sideband. The message is sent on the remaining sideband, which contains all the essential information.

Only one-quarter of the power is now required to send a signal the same distance. Alternatively, the same amount of power needed for a full AM band will send an SSB message at least four times as far.

And with greater clarity.

"Noise" or static, comes from any electrical interference—power lines, vehicle engines, a storm 100 miles away. The carrier section of standard AM is particularly vulnerable. By using only one sideband, two-thirds of the static potential is avoided.

Radio tuning traditionally depended upon quartz crystals, each of which vibrates at an individual wave length. With enough of them, a large number of channels has always been theoretically possible. The number of fragile and expensive crystals that could be carried in combat was limited.

Today's sets still use crystals but in conjunction with electronic or electromechanical oscillators and synthesizers that can create thousands of different rates of vibration—or separate channels—and can change from one to another within fractions of a second.

Big becomes small:

New packaging techniques have been equally important. For instance, big tuning capacitors were originally the size of a pair of clenched fists. Now their function has been squeezed into a diode the size of a match head. Sets in development are only one-fiftieth the size and weight of World War II sets that had only a tiny fraction of today's channels, range or clarity.

Once upon a time there was room to spare on our radio airways. Today, channels jam closer and closer; interference has become a serious problem. General Dynamics' new sets are today filling military needs. Future civilian applications, however, could double the number of channels available for voice or data communication within the space now taken up by AM transmissions.

General Dynamics is a company of scientists, engineers and skilled workers whose interests cover every major field of technology, and who produce: aircraft; marine, space and missile systems; tactical support equipment; nuclear, electronic, and communication systems; machinery; building supplies; coal, gases. *Reprints of this series are available.*

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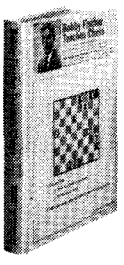

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THE REPORTER'S NOTES

Déjà Vu

PARIS

"European democrats stood up for you during the Korean War," a left-wing French friend said to me recently, "because in spite of your misjudgments and brutalities we recognized that you were fighting against aggression. Nobody in Europe feels that way about your dirty war in Vietnam." I was living in Paris when the Korean War broke out on June 25, 1950, and as I remembered, the support for U.S. policies in Korea from the "democratic" elements in France seemed a bit less than overwhelming at the time. I decided, therefore, to do a little casual research into the accuracy of my friend's remark, starting with some of the notes and newspaper clippings I had collected during the period.

Naturally, I found a number of significant differences between French reaction to the Korean War and reaction to the war in Vietnam. But on the whole I was more struck by the similarities. In one or two cases the uncharitable thought crossed my mind that certain of my French colleagues had simply changed the place names in reports or commentaries on Korea and republished them as applying to Vietnam. The feeling was strongest, of course, while reading excerpts from doctrinaire left-wing publications like *Le Nouvel Observateur* (formerly *France-Observateur*) or Sartre's *Les Temps Modernes* and comparing them with those of sixteen years ago, but it occasionally crept over me while perusing the files of the middle-of-the-road daily, *Le Figaro*. Its star columnist, Raymond Aron, used to sound lucid, valiant, and worried about Korea; today he sounds worried, lucid, and valiant about Vietnam.

For some, the gloom over the outlook in Vietnam may have been somewhat lessened by the turnout in the September elections there, but nothing seems able to cheer *Le Monde*. That paper was just as pessimistic about Korea. When General MacArthur's drive to the Yalu led to momentary military disaster, *Le Monde* editorially urged, in effect, that Washington either negotiate on the basis of Chinese terms or simply pull out of Korea. Trying to hang on in South Korea, the paper warned in 1950, could have only one sure result: "It will prolong indefinitely the terrible sufferings of the Korean people," thus showing the same humanitarianism that now impels it to demand that we abbreviate the sufferings of the Vietnamese people by surrendering those in the South to the mercy of the North. *Le Monde* reports by Charles Favrel and Robert Guillain from Korea spoke of the 'terrifying mentality' of the American GI's and especially of American airmen "who cheerfully machine-gunned civilians in North Korea and wiped out village after village."

I ALSO discovered in my files some excerpts and a summary of an article Favrel wrote for *Esprit* ("*Lettre à Mr. Smith,*" November, 1951) that I recalled had aroused the interest of U.S. propaganda analysts at the time. Cast in the form of an open letter to a typical American identified as a citizen of Kansas (this was in the pre-Capote era), it is worth rereading today not only because it weaves into one diatribe all the favorite leftist and neutralist themes of the time but because it might well serve as a manual for anti-Americanism in France today.

"You are inhuman, you Americans," Favrel wrote, "because you are bogged down in this Korean War which you aren't able to get out of, and which you are waging with a ferocity, a spitefulness, a cold insensitivity, that stupefies the world and fills it with indignation." The editors of *Esprit* had already

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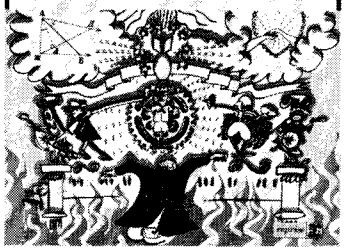
FUNNIEST!!

SONGS BY
TOM LEHRER



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Solution to

THE REPORTER

Puzzle #154

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H	O	T	S	U	P	P	E	R	■	D	R	A	N	K
E	■	E	■	B	■	R	■	S	■	R	■	B	■	E
N	O	T	A	T	I	O	N	■	G	U	E	R	R	A
■	■	■	■	S	■	B	■	T	■	M	■	A	■	P
U	N	I	T	■	C	A	L	I	F	O	R	N	I	A
N	■	N	■	F	■	B	■	N	■	R	■	C	■	R
B	A	F	F	I	N	L	A	N	D	■	W	H	I	T
R	■	A	■	N	■	E	■	Y	■	M	■	■	■	■
I	N	S	E	A	M	■	A	S	M	A	S	H	U	P
T	■	H	■	N	■	A	■	O	■	D	■	A	■	O
I	L	I	A	C	■	B	O	U	N	D	O	V	E	R
S	■	O	■	E	■	L	■	N	■	E	■	E	■	T
H	O	N	E	S	■	E	N	D	U	R	A	N	C	E

Acrostician—

RONALD W. REAGAN

explained to their readers ("*Guerre en Corée*", August, 1950) that while the North Koreans were technically the aggressors in the war, the invasion of South Korea was not a true aggression because the 38th parallel was an artificial frontier. "The invasion of South Korea was an act of violence. To put 'democratic' forces at the service of a Bao Dai, a Chiang Kai-shek, or a Syngman Rhee is also an act of violence." Favrel developed the same theme in considerable detail, throwing in the U.S. puppet régime in Japan and the Nazi industrialists in Germany for good measure, and added a frank comment on national liberation movements that has more than a casual relevance to Vietnam: "One can claim that Communism takes its directives from Moscow, but what constitutes its strength is that it finds on the spot its chiefs, its cadres, and its forces; the foreign aid that is sometimes necessary to install it becomes no longer necessary as soon as the system has established the political infrastructure that enables it to operate alone.

"In dwelling so much on the inhuman aspects of American behavior," Favrel concluded, skillfully blending the standard themes of Communist and French nationalist propaganda, "I wanted to explain to you, Mr. Smith, why you represent the No. 1 danger in our eyes. The other danger, the one from the East, seems to us much more distant, much easier to exorcise. . . . Europe knows that the voracious muzhik would find her a tough bone to swallow. . ."

TODAY the same ambiguity is particularly characteristic of a type of Frenchman whom one is sometimes tempted to classify as a Gaullist fellow traveler of the Left, sometimes as a fellow-traveling Gaullist. The most vicious and systematic anti-American propaganda in France generally emanates from this politically equivocal category, though it can also come from more orthodox Gaullist circles, or from leftist-neutralist ones—especially a certain strain of leftwing Catholicism—without Gaullist connections. Curiously, the official Communist press in France, while campaigning against U.S. intervention in Vietnam, rarely indulges any more in the rabid "hate America" propaganda that it specialized in during the Korean War. Perhaps the relative restraint of the official Communist press here simply reflects a tactical directive: The groups that the Communists chiefly want to turn against the United States can best be influenced by propaganda without a Communist label.

The permanent body—small but fanatical and vocal—of anti-Americans in France may grow or dwindle according to events, but its hard core remains unchanged. It needs no pretexts, and is immune to explanation or persuasion, not to mention facts—no doubt because it reflects an emotional prejudice rather than a rational conviction. The war in Vietnam has lost us some authentic friends here, but those who are most violent in denouncing our intervention often turn out to have been our unreconstructed critics all along.

—EDMOND TAYLOR

Grinding Exceeding Small

The Almighty, as the theologians have told us, makes known His will in mysterious ways. So, in their own way, do the nation's politicians, and we mean no blasphemy when we say that in recent weeks we have found ourselves wishing that the techniques of the latter were available to God Himself. Nothing short of a heavenly background conference attributable to "highest conceivable sources" could have answered all our questions about how the Congressional rhetoric on the so-called "prayer amendment" was being received on high. What, for example, did God make of Senator Birch Bayh's (D., Indiana) compromise proposal that would have left the secular First Amendment alone but authorized the President annually to proclaim "National Prayer and Meditation Week"? Did He fancy any slight in the brief time allotted Him compared with, say, "National Better Breakfast Month" which the nation has just finished celebrating?

Our curiosity cannot possibly be satisfied, and we found the natural—as distinct from the supernatural—powers at times equally in-

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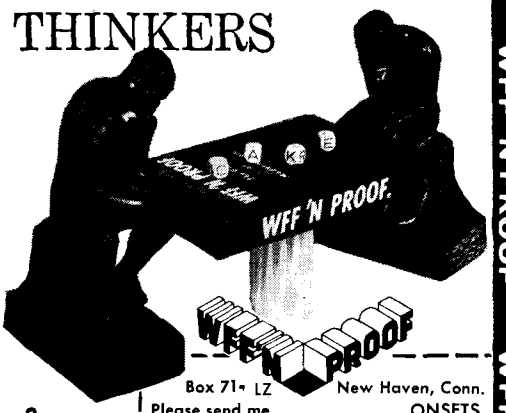

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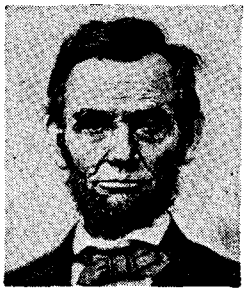

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scrutable. The recently defeated prayer legislation introduced in the Senate by Minority Leader Everett M. Dirksen took the form of a proposed amendment to the Constitution providing that nothing in that document was meant to prohibit school officials "from providing for or permitting the voluntary participation by students or others in prayer." The professed intention of its sponsors was to "clarify" two controversial Supreme Court rulings—one that found a First Amendment violation in the attempt by the Regents of the University of the State of New York to impose a bland all-purpose prayer on local classrooms, and one that found a similar violation in the required reading of the Bible and recitation of the Lord's Prayer in public schools elsewhere.

Senator Dirksen led off the debate with a lengthy defense of official mention of God ("In that lovely song 'America the Beautiful,' we find these words in the first stanza: 'God shed His grace on thee' "). To the extent that his catalogue was relevant at all to the subject at hand, it was only to the more extreme interpretations of the court's two decisions by school officials here and there in the country. Indeed, any number of improbable quarrels have developed in the past two years, ranging from contention in New York over the use of the last stanza of "The Star Spangled Banner" as a prayer, to attempts to excise God from the pledge of allegiance to the flag and to banish Nativity scenes at Christmastime. Variously, the participants in these local skirmishes have been persons trying to demonstrate the radical nature of the court's rulings by distorting them and persons determined to put all mention of the Deity out of bounds for public-school teachers.

In the course of Senate discussion of the Dirksen amendment, opponents managed to extract from supporters an admission that there was little if anything in the court's decisions to account for some of the more aberrant actions under discussion. The decisions had been, as Senator Bayh insisted, "misrepresented, misinterpreted, and misunderstood." What, then, was the

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The well-rounded box.

On television in October you can see an original drama with Arthur Kennedy and comedy-variety with Carol Burnett.

You can follow the candidates and the issues in November's elections and hear the artistry of Van Cliburn.

Go to the World Series and examine the possibility of life elsewhere in the universe.

You can spend a howling evening with Peanuts and a harrowing one with an air medical team in Vietnam.

Television this month could round out your thinking on a lot of subjects.

The Hat

A group of clergymen view and discuss an animated film on the theme: can men meet on a common level?
Sunday, Oct. 2 (10-11 A.M.)

Segregation in the North

Examines the causes of racial tensions in Northern cities.
Sunday, Oct. 2 (6:30-7:30 P.M.)

The National Sports and Physical Fitness Test

Audience involvement broadcast examines what Americans should know about keeping fit.
Tuesday, Oct. 4 (10-11 P.M.)

The World Series

The annual climax of Big League baseball.
Tentatively set to start Oct. 5

The Kennedy Wit

Jack Paar is host as Stage 67 reviews the late President's wit.
Wednesday, Oct. 5 (10-11 P.M.)

Carol & Company

Carol Burnett with guest stars Rock Hudson, Frank Gorshin and Ken Berry.
Sunday, Oct. 9 (10-11 P.M.)

Crazier Than Cotton

Chrysler Theatre: Jean Simmons in a drama about a sculptor.
Wednesday, Oct. 12 (9-10 P.M.)

Brigadoon

Robert Goulet stars in the Lerner and Loewe Broadway musical.
Saturday, Oct. 15 (9:30-11 P.M.)

Bell Telephone Hour

A portrait of young American pianist Van Cliburn.
Sunday, Oct. 16 (6:30-7:30 P.M.)

The Confession

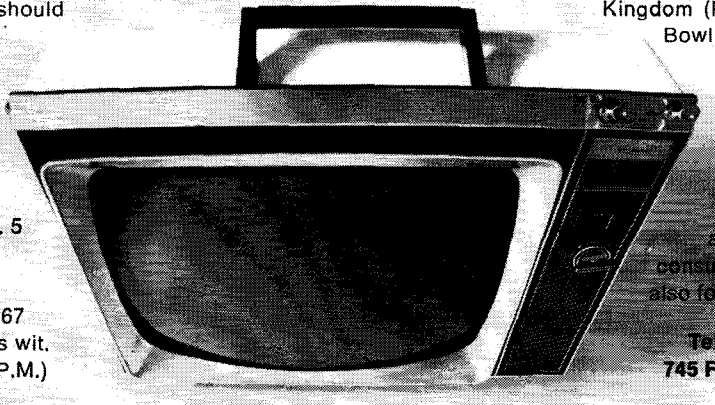
Stage 67's original drama with Arthur Kennedy and Brandon de Wilde.
Wednesday, Oct. 19 (10-11 P.M.)

We Are Not Alone

Documentary based on the book examining the possibility of life elsewhere in the universe.
Friday, Oct. 21 (10-11 P.M.)

Lucy in London

Comedy special starring Lucille Ball with Anthony Newley and other British stars.
Monday, Oct. 24 (8:30-9:30 P.M.)



To Save a Soldier

The story of air medical evacuation work in Vietnam.
Monday, Oct. 24 (10-11 P.M.)

It's the Great Pumpkin, Charlie Brown.

Halloween hijinks with Charlie and the Peanuts Players.
Thursday, Oct. 27 (8:30-9 P.M.)

The Campaign and the Candidates

A look at the men and issues in the November elections.
Sunday, Oct. 30 (6:30-7:30 P.M.)

Regularly Scheduled Programs Monday through Friday:

Captain Kangaroo / Today / Sunrise Semester

Tuesdays: CBS News Hour

Wednesdays: ABC Stage 67

Saturdays:

Captain Kangaroo / Sunrise Semester / The Smithsonian (Premiere Oct. 15) / Animal Secrets (Premiere Oct. 15) / Wide World of Sports / ABC Scope: The War In Vietnam.

Sundays:

Lamp Unto My Feet / Look Up and Live / Directions / Bullwinkle / Camera Three / Discovery '67 / Face the Nation / Meet the Press / Frontiers of Faith / Issues and Answers / Vietnam Weekly Review / Wild Kingdom (Premiere Oct. 23) / College Bowl / The Frank McGee Report / Walt Disney's Wonderful World of Color.

Note: This is, necessarily, a partial listing. Time (New York Time), titles and casts of these national programs are subject to change. Please consult your station listings; check also for noteworthy local programs.

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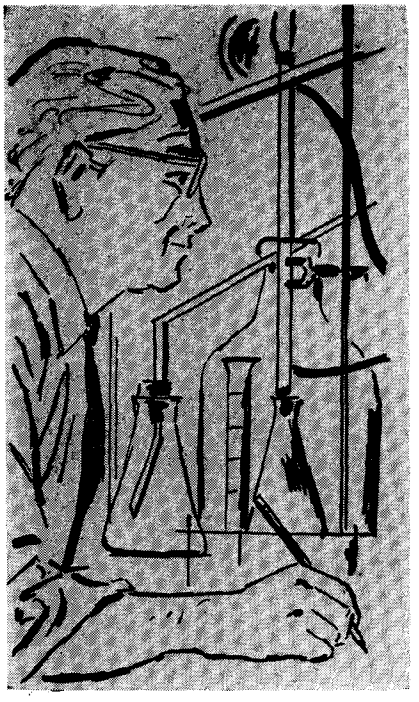
Leprosy ...a present day understanding.



When I returned to this country after twenty years as a surgeon in India, I was shocked at the widespread ignorance about leprosy.

Actually, leprosy is one of the world's most serious public health problems today. There are probably 15 to 20 million cases, and according to the best authorities, it is on the increase. Less than 25% of the estimated cases receive regular treatment, and almost 40% are afflicted with some form of disability.

Human Consequences

But the importance of the leprosy problem is not a matter of statistics. The human and social consequences are more serious than those of any other disease. Ancient superstitions and fears, social ostracism, economic loss still plague the leprosy victim and his family.

Today we know that leprosy, often called Hansen's disease, is a chronic disease of low infectivity, which can be treated with modern drugs and in some cases cured. Stigmatizing disabilities can often be prevented by early treatment, corrective surgery and physiotherapy.

A Quiet Revolution

But public knowledge of these new advances is woefully limited. Few people, for example, know that the drug of choice in leprosy treatment was first used at the U. S. Public Health Service Hospital in Carville, Louisiana, in 1942. This development marked the first major breakthrough in leprosy therapy, and paved the way for later advances in plastic and reparative surgery.

What Can Be Done

Medical research must continue, training facilities up-dated, personnel recruited. But at the same time the education of the American public must keep apace with scientific advancements.

To meet this challenge, the Board of Directors has authorized me to extend to readers of the REPORTER an invitation to membership in American Leprosy Missions. (See coupon.)

You will receive — free of cost — Patrick Feeny's book, THE FIGHT AGAINST LEPROSY, and as a member of ALM, you will be informed of leprosy advancements throughout the world by the publications WORLD LEPROSY NEWS and YOUR ALM REPORTER.

(Churches and groups have free access to our library of audio-visual aids and educational literature.)

And of course, your gifts of any amount will be appreciated if you do not wish to become a member at this time.

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O. W. Hasselblad, M.D.
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necessity for the Dirksen amendment? And what—it might well have been asked—was the necessity for the Bayh substitute, which, in addition to giving God an official week of His own, would have made plain that silent voluntary prayer or meditation were acceptable in the classroom? In its own mysterious way, the Senate answered these questions by denying the Dirksen amendment the two-thirds vote necessary for passage and the Bayh resolution the required simple majority. But it did not do so until it had also proved a new theological point in a week of hearings and a few days of floor debate: an awful lot of Senators can dance on the head of a pin.

A Jury of Their Peers

A hearing held September 20 in Jackson, Mississippi, provided an unusual twist in the civil-rights struggle. The defense attorneys for seventeen white men accused in connection with the 1964 murder of civil-rights workers Michael Schwerner, Andrew Goodman, and James Chaney, were seeking to call off the trial before it got started. They seized a point that, of all things, had been argued successfully in the South by civil-rights attorneys.

The indictments must be dismissed, the defenders told U.S. District Judge W. Harold Cox, who is studying their brief as this is written, because the panel from which the jury for their clients' trial would be chosen was "not a cross-section of the community." In it there was no equality among economic groups, "nor have the different races been fairly represented." Among the groups at least partly excluded, they said, were Negroes, females, Indians, hourly wage earners, truck drivers, and waitresses.

The plea, made on behalf of Neshoba County Sheriff Cecil Price, Deputy Sheriff Lawrence Rainey, and their co-defendants, was based —and here's the kicker—on a July decision of the Fifth Circuit Court of Appeals in New Orleans upholding the protest of a white SNCC worker indicted and tried by Georgia Federal juries in a district where Negroes rarely serve.

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The Frailest of Them All

AND HERE AGAIN is the season when the representatives of some one hundred and twenty nations meet in New York, all equal in dignity and decorous self-respect as if their power really emanated from "We the peoples" of each one's country. This moment of unity and of equality has a stirring nature of its own, for it responds to a craving for peace that has never been so fearful as it is now.

Or perhaps it would be more appropriate to say, as it has been during the last two decades. All societies since the beginning of history have been stirred by the yearning for absolute peace; but only during the last two decades has the prospect of absolute war acquired a nightmarish degree of probability. Moreover, even if the notion of absolute war could acquire a number of qualifications because of the different destructive potentials of nuclear weapons and of the percentage of survival that could be foreseen, the universal fear never could be dispelled, if only because nuclear weapons are made to be used by men. Men know themselves well.

When the San Francisco charter was written, very few among the signers or originators knew that an atomic bomb was in the making. The people who meet in New York today mouth peace, peace, peace, although even those who represent the most powerful nations know precious little about the ways to bring about a peace that, to use the current word, may prove durable.

In a number of other fields of interhuman activity, such as technical assistance, aid to children, and help to agriculturally underdeveloped nations, the work of the U.N. has been, on the whole, admirable. It has succeeded also in stopping the fighting, or preventing the outbreaks of new fighting, in peripheral areas, defuzing the potential of much larger explosions. But when nuclear powers were involved, and particularly the two major ones, the U.N. could do nothing but pass one resolution after another through the General Assembly, each more extreme and unenforceable than the last, for general and complete disarmament, nonproliferation of nuclear weapons, decolonization forthwith, and so on and on.

At the current session, the prospect is that the United States will be the object of nearly universal opprobrium because of Vietnam. The attitude of the U.N. toward our country has always been peculiar. Born on American soil, built according to the criteria of Anglo-Saxon political institutions, checks and balances and equality for all included, the U.N. has never been patronized but always cherished by the American people—perhaps overcherished, as if it had been what it pretended to be, the beginning of peace on earth. The tragedy is that it could have become something rather close to it, had the Soviet Union accepted, in 1946, the Baruch Plan, thereby endowing the United Nations with control of atomic energy.

THINGS took their sharpest turn for the worse when Khrushchev thought—and wrongly—that the U.N. had become too much of a western institution. The chief executive officer of the U.N., Khrushchev said, had to be not one man but a troika. At the time a new Secretary General of the U.N. had to be chosen, U Thant seemed to be ideally suited to avert a clash. A native-born neutral, he always shunned commitment to any ideology, liberal or Communist. Rather, to use his own words, he "was trained to achieve a certain degree of emotional equilibrium or detachment." It must be granted that at least as far as the Vietnamese conflict is concerned, he has given abundant evidence of his detachment. At a press conference on September 12, 1963, he said: "As you all know, one of the great virtues of democracy is its ability to change governments by peaceful constitutional processes and without resort to force—a feature which is completely absent in the Republic of Vietnam." This great virtue of democracy could not be found in his own country nor in the Democratic Republic of North Vietnam. According to his latest report to the U.N., "the basic problem in Vietnam is not one of ideology but one of national identity and survival." Are we thus blandly accused of genocide?

One could go on quoting him but to little use. The man endlessly repeats himself about East and West, respects the changes in political structures that Communist violence has ruthlessly brought about, but hates the efforts, no matter how unselfish, that a country like ours is making to prevent or stop the Communist "wars of liberation." What Communism has achieved is accepted with detachment by this nice, smiling man, who dresses and talks like a westerner. He did not disappoint Khrushchev, for he proved to be a one-man troika.

WHAT is exceedingly difficult to understand is the moaning of authoritative Americans like Ambassador Goldberg, all imploring this "nearly irreplaceable man" please not to abandon his high office. Perhaps there is fear about his successor. But why be so afraid? The U.N. has shown such power of resilience that, we believe, it can survive U Thant, and even worse.

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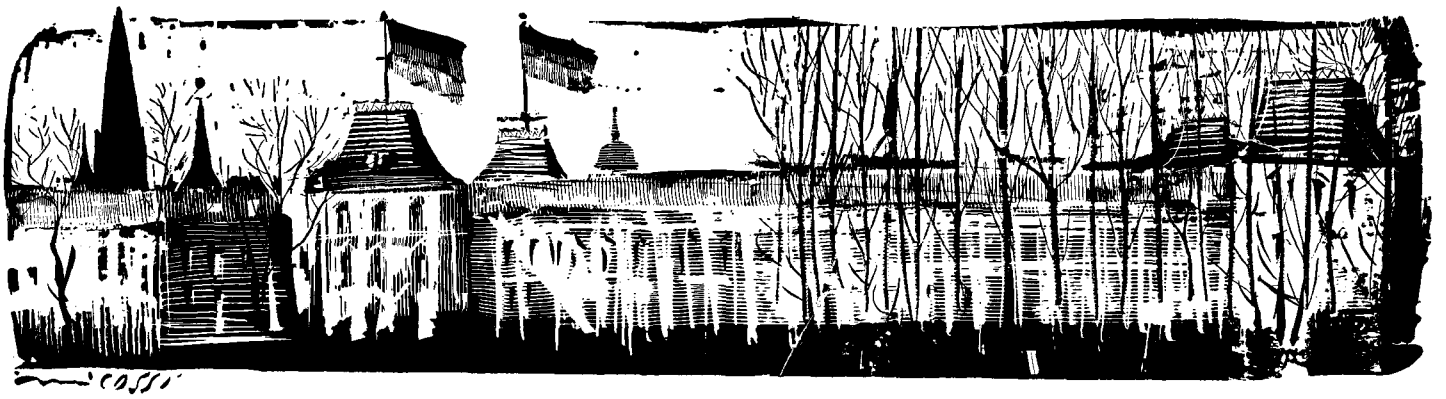

Germany Between Two Alliances

GEORGE BAILEY

BONN

NOWHERE has West Germany's position been so grotesque and yet so tragic as in the armed forces. The Ministry of Defense, in trouble before, during, and ever since its inception, is now in the throes of a wholly unprecedented scandal-and-crisis precipitated by the resignations of the commanding general of the Luftwaffe, Werner Panitzki, the inspector general of the armed forces (its highest-ranking officer), Heinz Trettner, and the commanding general of the Third Military District, Günther Pape, on three successive days last August.

General Panitzki's resignation came on the flood tide of the Lockheed Starfighter scandal, which by mid-August had taken a toll of thirty-six pilots killed, sixty-one planes destroyed, and 250 damaged. More than a week after he had tendered his resignation (but still before the Defense Ministry had acknowledged it), Panitzki gave an interview to a West German newspaper in which he accused Defense Minister Kai-Uwe von Hassel and his civil-servant assistant of radically changing his report on the Starfighter crashes before passing it on to the Armed Services Committee of the Bundestag.

The occasion for General Trettner's resignation, announced the next day, was von Hassel's authorization for organizers of the Public Services, Transport, and Traffic Union to seek members of the armed forces in their barracks. (It is an indication of the extent to which the German Army has gone civilian that some three thousand professional soldiers belong to the union.) "This decision," wrote Trettner in his resignation, "which profoundly affects the inner leadership of the armed forces, was taken without my participation. . . . At the very beginning there was great duplicity: the ministry was organized in a spirit of warding over the military." To Trettner, the ministry was actually anti-military. Specifically, "The separation of the administrative apparatus from the command structure was ostensibly undertaken in order to facilitate matters for the soldiers; in actuality it was undertaken to provide a means of controlling them."

HERE Trettner merely restated the Federal Republic's avowed purpose of assuring the primacy of politics over the military. To this end a system was created and institutionalized in the so-called Academy of Internal Leadership for the schooling of the Republic's new soldiers in their rights and duties as individuals in a parliamentary democracy. Basically this was an attempt to civilianize the army, to place the soldier on the same footing with the civil servant, to make him a "citizen in uniform." The court-martial was done away with and the soldier placed under exclusive civil jurisdiction. The admission of a trade union into the army was only the logical conclusion of an incongruous premise. The main result, however, was the bureaucratization of the armed forces at virtually every echelon under a superstructure of the civil service, culminating in civilian control of the entire field of logistics. In the ministry itself, civil servants outnumber military men by 2.7 to 1. Trettner asserted that he accepted the primacy of the political over the military but strenuously objected to the interposition of a civil servant —a state secretary named Karl Gumbel—between the politician (Defense Minister von Hassel) and himself.

The fundamental safeguard against rampant militarism in the new army was the replacement of the old German general staff by the civil-service control apparatus. The Bundeswehr is the only army in Europe that does not possess its own national command. This is because it was created expressly for integration in an allied defense force under international command. The concept of integration was itself the great external safeguard designed to provide the

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Germans with a feeling of equality, and their allies—and their potental enemies—with a feeling of security against the emergence of a German national army. In short, the West German Army is directly dependent on integration in an international force, not only structurally but also psychologically: it draws its morale, its esprit de corps, its very justification for being from the political philosophy of the Atlantic Alliance.

Although a statement of this fact is beginning to sound quaintly declamatory, it is no joke in Germany. The German insistence on codetermination in nuclear planning and targeting and co-possession of tactical atomic weapons was always based on the premise of nondiscrimination, at least within the European military community. The two-key arrangements under which German units were equipped with tactical atomic delivery systems while the United States retained the warheads were more than merely token recognition of the unattainable yet valid egalitarian ideal in a military alliance of atomic and nonatomic powers. This was the basis of the forlorn fascination of the Multilateral Force for the Atlanticist wing of the Christian Democratic Union. When the choice was forced between France and the United States, those Germans who clung single-mindedly to integration as the only practicable formula for Germany seized upon the additional degree of atomic pooling provided by the MLF proposal as a substantial step toward meaningful collective security—or, to the same purpose, a valuable pawn to be surrendered only in return for meaningful political concessions from the Soviet Union. As Konrad Adenauer never tired of emphasizing, "The disarmament problem cannot be divorced from the German problem." For the Germans, nuclearization became coterminous with integration.

700 Albatrosses

The Starfighter crisis reflects almost every aspect of the German national dilemma. The F-104 was designed and developed primarily for assignment to a tactical nuclear role. This was the main if not the only reason why Bonn purchased at enormous and continuing expense some 700 of the aircraft—as an investment in nuclear integration. The Federal Republic's enforced and extraordinary dependence on its allies, particularly the chief ally, for weaponry, instruments, and equipment was formalized in November, 1964, when Defense Minister von Hassel signed an agreement to purchase some $700 million worth of arms and equipment annually from the United States to offset the outflow of dollars for the maintenance of U.S. troops in Germany. Long before this, von Hassel's predecessor, Franz-Josef Strauss, used to quip that German generals were no longer militarists but industrial buyers, since their main activity was arms procurement by long-term purchase contracts in the United States and, to a far smaller extent, elsewhere in the West.

The German version of the Starfighter is designed to carry atomic bombs and has been burdened with 320 pounds of extra electronic equipment. In addition to increasing the volume of procurement purchases from the United States, this specialization made the Starfighter probably the heaviest and most complicated single-seat aircraft in operation. But as maintenance and operation of the aircraft became more difficult, the number of qualified technicians available to the German armed forces—particulary the number of noncommissioned officer pilots and maintenance personnel in the Luftwaffe—sharply decreased. In one air-transport squadron, for example, forty per cent of the noncommissioned officer pilots have failed to re-enlist in the last eighteen months. More than twice as many short-term draftees as originally planned are now being used in Starfighter maintenance crews, a fact that is both a direct and an indirect cause of the steady increase in crashes, since the decrease in the quality and quantity of maintenance crews curtailed the number of flying hours needed by trained pilots to maintain proficiency. The overall problem is even greater. According to recent statements by von Hassel, there is a shortage of some forty thousand noncommissioned officers in all three branches of the service, which have a combined strength of about 430,000. For the last two years, approximately half of all draftees for the Bundeswehr have requested deferment, and more than two-thirds of the requests have been granted, the majority to students in technical and scientific disciplines.

The towering indifference toward the Bundeswehr has thus kept pace with the increasing disillusionment of the youth of Germany with the Atlantic Alliance and its goals. In this sense the crisis in the German armed forces and government is both a local manifestation of the NATO crisis and much more.

The Dread of Isolation

Every aspect of the German postwar situation has conspired to make maximum integration with Germany's allies the overriding domestic political passion. For it is only from the evidence of having outgrown nationalism that they can give to themselves and to the world that the Germans can draw the strength they need to achieve the national aim. The federation of Europe was, and somewhat wistfully still is, regarded as the first step toward reunification. What the Common Market most urgently needs, as far as the Germans are concerned, is a common foreign-trade policy, specifically "a real and generally acceptable concept for the co-ordination of East-West trade." For NATO, the Germans' chief concern was the achievement of a unanimously accepted strategic doctrine. As the Christian Democrats' foreign-policy troubleshooter, Kurt Birrenbach, summed it up in the Bundestag NATO debate in March, "Integration is the life principle of German foreign and defense policy." Conversely, the Germans have an obsessive fear of isolation. Their preoccupation with the avoidance of discrimination is part of this fear. They are determined, as Helmut Schmidt, the Social Democratic Party's chief defense spokesman, put it, "to allow no regulation which *de jure* or *de facto* would bring us still more into a special situation vis-à-vis our contractual partners, because every special positon of the Federal Republic aggravates the danger—in the event of crisis or conflict—that the Federal Republic will become isolated."

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This complex of considerations and factors accounts for the almost pathological dread of the Germans that they may be sold short or betrayed; that their allies, and particularly the United States, may come to an agreement with the Communist enemy at their expense. This is the basis for the Germans' unceasing quest of assurances. De Gaulle's eviction notice to NATO was seen as a deliberate act of disintegration, and it has given the Federal Republic pause for the most agonizing reappraisal of its brief history.

"The consequences [of this act]," wrote the *Süddeutsche Zeitung*, "could make themselves felt very soon on three levels: first in a disruption of the world political balance between East and West, second in a disruption of the inner European balance in the West, and third in a disruption of the internal political balance in the Federal Republic. Between these three levels there is a fatal connection. . . . The platform of German policy remains the incorporation [of West Germany] into a system in which legitimate and unrenounceable goals should be made the common cause to be realized jointly and by peaceful means."

IF MAKING "legitimate and unrenounceable" national goals the common cause of an international community seems quixotic today, it must be remembered that the necessity for banding together to form a solid front against the Communist threat provided a gigantic diversion from the German moral dilemma proper: the anti-Communist crusade of the 1950's provided—or seemed to provide—a legitimate path toward national rehabilitation as well as territorial restoration.

It was mainly the great anti-Communist crusade that caused the Adenauer government, like its allies, to regard and treat Germany as though it were not divided at all but rather engaged in the front line of a holy war against the heathen East. The fact that the front line happened to run through the middle of Germany was neatly concealed by the sense and direction of the crusade, particularly as set forth and practiced in the NATO strategic concept of "forward defense." Moreover, western strategic necessity was complemented by German spiritual need. As SDP Chairman Carlo Schmid put it—perhaps unkindly—at his party's congress early last summer: "We should be perfectly clear on why there was such a thing as a European policy at all: not so much because of the desires of the Germans as because of 'European' lyricism and European metaphysics, which were developed here in Germany for the simple reason that it is pleasant to wish for such a thing after having lost a war. Secondly, many of us were of the

opinion that if we became Europeans we could rid ourselves of the whole mortgage we acquired as Germans."

But with the policy of coexistence and its U.S. counterpart of relaxation, the basis of the great diversion was withdrawn, the high road of rehabilitation and restoration by crusade was closed. The Germans suddenly found themselves overextended abroad, divided at home, and in danger of ultimate abandonment by their western friends (never by their eastern enemies). When the great mantle of the crusade was withdrawn, it left the nation in danger of being reduced to its original pariahdom. The corollary of that pariahdom is this: the moment the common cause becomes merely the German cause, it is doomed.

What the Germans fear most—and the Communists most desire—is the isolation of the cause. The Germans have tried to bind the allies contractually to active support of the German national cause. They have failed. They have been unable to fix the commitments and pledges of the allies in terms that were juridically binding: the language of the undertakings of the allies in the various instruments and treaties of the Atlantic Community remained eloquent expressions of sympathy or more or less sincere emotion inspired by the crusade.

Overlapping Alliances

It could not have been otherwise. When the three western allies set about forming the North Atlantic Alliance, the reunification of Germany was by no means their primary purpose. That purpose was to achieve, by maintaining a balance of power within the framework and interplay of East-West tensions, a tolerable if makeshift European security system. When the necessity for a German defense contribution forced the inclusion of West Germany in NATO, the organization became an alliance of partners whose aspirations were not only at odds but potentially in direct conflict. Thus the double purpose of NATO (crusade *with* the Germans against communism, but security *from* the Germans by incorporating them in a broader role) doubly complicated the German problem, since it sowed the seeds of a series of confrontations within confrontations—ending in the confrontation of Germany with its allies.

The Federal Republic of Germany, with its capital in the unlikely Rhenish village-city of Bonn, was born of the Berlin blockade. As a result it is the strangest of all political phenomena—a government half in exile pursuing its territorial claims by contractual agreement with its allies, who, as the co-custodians by right of conquest of the area claimed, are themselves in contractual agreement with the usurper. When the government was granted "sovereignty with reservations" upon its accession to NATO, it was necessary—mainly because

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of Berlin—for the allies to ensure that vis-à-vis the Soviet Union the original title of rights included in the Articles of Surrender remain in force. Article 2, Paragraph 1, of the Paris agreement stipulates the rights of the former occupation powers with regard to "Berlin" and "Germany as a whole."

The underlying basis of the German dilemma is the presence of two conflicting and yet overlapping alliances. German postwar history became the tale of two cities, with an electromagnetic field of tension between Bonn, the seat and symbol of NATO in Germany, and Berlin, the seat and symbol of the wartime alliance and the Four-Power Statute. Every time there was a crisis in Germany, the NATO pole was activated with the talk of economic sanctions, combined military operations, and political initiatives; every time the crisis increased to dangerous intensity, the spark jumped from the Bonn to the Berlin pole and NATO was put on ice in favor of four-power negotiations, notably in the Four Foreign Ministers' Conference in Geneva in 1959. Adenauer was so upset by the slighting of NATO and the reactivation of the rival four-power agreements at Geneva that he abruptly renounced his declared intention to retire as Chancellor and accept the Presidency.

THE FAILURE of the western allies to contest the construction of the Berlin Wall shattered the magnetic field, split West Germany, and ruptured the alliance. Since the Christian Democrats were the party of NATO, the passivity of their allies at the Berlin Wall in the final phase of the national election campaign cost Adenauer his absolute majority and forced his government into coalition with the erratic Free Democrats. The resultant pivotal position of the latter made possible the holiday-pass agreements between the Berlin senate and the Communist régime of East Germany. It also ushered in the Social Democratic Party's policy of "small steps" or "change through closer relations" in defiance of Bonn; the SDP was able to implement this policy because its leader, Willy Brandt, was also the mayor of Berlin.

The French refused to negotiate over Berlin, as Britain and the United States were intent on doing, and thus produced a split in the western side of the wartime alliance. When the British and Americans reconfirmed the policy of relaxation in the face of the Wall at the NATO conference in December, 1961, half of the Adenauer government turned to the French, who agreed to represent German interests in all four-power councils—if necessary by refusing to attend. In this spirit France went on to refuse to take part in the disarmament conference in the spring of 1962 or to sign the test-ban treaty in 1963. (Germany, given one day's notice in advance by the United States, signed in silent fury because of international moral and psychological pressure.) For the French, the fact and rationale of the Anglo-American acceptance of the Berlin Wall were decisive confirmation that NATO was hardly less restrictive for France than for Germany, and that France in order to break free would have to reverse the process of integration. Accordingly, de Gaulle chose to withdraw from NATO in order to pursue his own "European" policy and evicted the alliance from French soil.

Bonn's Suspicions

Another decisive confrontation may be involved in the late September meeting in Washington between Chancellor Ludwig Erhard and President Johnson. The political

leaders of all three parties represented in the Bundestag regard the U.S. government's avowed intention of signing an anti-proliferation treaty with the Soviet Union as yet another deliberate and this time definitive step in the direction of re-establishing the wartime alliance with the Soviet Union in the form of a security system on the basis of the status quo. This arrangement, in the words of Heinrich Krone, a cabinet minister and chairman of the National Defense Council, "would preclude the possibility of better solutions at a later date." But what disturbed the Bonn government more than anything else, said Krone, were the reports concerning plans and suggestions for a partial withdrawal of U.S. troops from Europe. On the basis of these reports, the Germans were obliged to assume that the Mansfield resolution was not merely the initiative of a group of powerful Senators, "but rather that it represented a strong inclination in Congress to reduce the American engagement in Europe."

Once again it was the aspect of unilateral disengagement without consultation that was unpleasantly reminiscent. Krone also dwelt on the Starfighter issue and U.S. Defense Secretary Robert S. McNamara's urging that the planes be limited to the use of conventional weapons: "After having implemented the directives of NATO and adapted our armament accordingly, we are now being advised to convert the largest possible part of our most important nuclear weapons carrier, the F-104 squadrons, to conventional armament." Such advice is regarded by the Germans as the most ominous sign of all. For when nuclearization became the touchstone of integration, by the same token denuclearization became coterminous with disintegration, particularly since the denuclearization of the Starfighters is regarded "as equating with a thinning out or an armaments-control measure."

According to General Johannes Steinhoff, who replaced Panitzki as chief of the Luftwaffe, a further consequence of this and like conceptions is "the beginning of the dissolution of the nuclear deterrent of the Supreme Allied Command in Europe." Still more important, the nuclear role of the Starfighter has become a question of prestige affecting the Bundeswehr's "alliance-worthiness." "If only conventional weapons are left to the Bundeswehr, the question arises why the Bundeswehr should remain integrated,"

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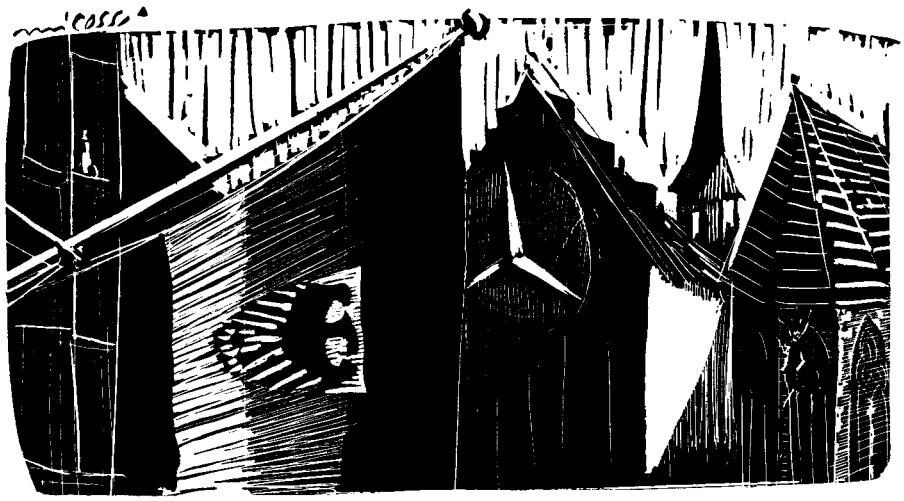
wrote the political commentator Dieter Schwarzkopf in *Die Welt*. It was not long before the obvious question of the Bundeswehr's *raison d'être* was raised: "What good to the state is an army that cannot defend the state and is no longer able to provide the state with any advantages in its relations with its allies?"



By far the most galling aspect of the crisis, however, is Washington's insistence that Bonn spend $1.3 billion (the extent of its arrears in the offset-purchase agreement) in the United States by July 1, 1967. The welter of advice, suggestions, proposals, and resolutions from Washington gives the strong impression that prompt payment by way of offset arms purchases and the continued presence of U.S. troops in Germany are closely related. "If the U.S.A. makes the number of its troops on the Continent dependent on payment for this protective burden," said *Die Welt*, "the sense of military defense contributions by the European countries comes into question again."

The impression is reinforced by the financial plight of the British government, which can no longer afford to maintain the British Army of the Rhine in anything like its present strength. "Every time we confer with the British," said a CDU leader, "regardless of the occasion and the parties involved, all they want to know is whether we can buy something from them." This mercenary aspect of the issue annoys the Germans, who are sensitive about the fact that their fullest measure of sovereignty is in the economic field.

The entire development has begun to look like a division of competence by design. The financial straits of two of Germany's three major allies (the French never ask for money) have inevitably moved the Federal Republic to examine closely the way its own financial situation is developing: not well. There has been a steady increase in prices and wages over the past several years, and the Germans have become the big spenders of Europe. German tourists now account for an annual outflow of more than four hundred million marks. But the real culprits are the city and state governments, whose spending has increased by eight per cent a year over the past seven years. The Frankfurt city government had to borrow money from Swiss banks at 10.5 per cent in order to proceed with the completion of its new subway.

Nor has the federal government been a model in this regard. A special task force was created months ago to suggest ways to trim the federal budget. Erhard and his government were in the middle of introducing legislation to stabilize prices and wages when the storm broke. Now Germany is being pressed by its allies at a time when money is scarce.

Blaming McNamara

What rankles most is Secretary McNamara's insistence that the $1.3-billion procurement orders be exclusively for arms—at the moment just what the Germans do not need. In a recent turbulent session of the Christian Democratic parliamentary group, Franz-Josef Strauss suggested that the Bonn government go ahead and buy the arms and then dump them in the North Sea: "That way, we would satisfy our American friends and at the same time demonstrate our peaceful intentions to the world."

It is a foregone conclusion that von Hassel will not long survive as Defense Minister. Since his stopgap reform of the ministry, two more Starfighters have crashed. But the Ministry of Defense requires more than a new minister. It needs administrative, structural, and spiritual reform than can come only as the result of a redefinition of Germany's relations with its allies, a new footing for the alliance—in short, ultimately, a new alliance.

Von Hassel's dealings with McNamara are regarded as having failed disastrously. For the Germans, McNamara is the archvillain of the piece. He is regarded as responsible for the vacillations in strategic doctrine; his was the uncertain trumpet that blew a retreat from massive retaliation and reveille for flexible response, the great strategic switch that bewildered his European allies and confounded their policies; and it was he who brought down the wrath of de Gaulle on the British and the alliance as a whole with the scrapping of Skybolt. "The spread of emotional Gaullism throughout Europe," Helmut Schmidt told me recently, "is very largely the achievement of Robert McNamara."

The combination of America's preoccupation with Vietnam and relative indifference to the German problem and Germany's legitimate interests, plus the incessant dunning for the offset purchases, has aroused the suspicions of every German politician I know. Often enough it arouses more than suspicions. "We are being had," a prominent CDU member of parliament told me. "Well, all right—we owe America a lot. But we can't go on being had ad infinitum—it has got to stop, and right now."

Hardly a week before the departure of Erhard for America, Franz-Josef Strauss demonstrated that the split within Christian Democracy is wider than ever. In a

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speech in Munich, he demanded the creation of a political, economic, and military union between France and Germany for the express purpose of reducing Western European dependence on the United States. He warned against economic dependence on the United States, pointing to the inroads of American corporations in the European market and especially within the Common Market. But more important was Strauss's reminder that the reunification of Germany is far more than a German national cause. There was absolute agreement between Germany and France, he said, on the effort to overcome the division of Europe and to channel the growing national consciousness in the countries of Eastern Europe into a sense of European community: "This way alone will lead us out of our national dilemma of division and so restore the unity of the German people concomitantly with the growing together of the Continent."

The Christian Democratic Union remains the party of the Atlantic Alliance, and it will stand or fall with it. For the alliance itself is the "fatal connection" between the three levels of international, European, and internal German politics. Lyndon Johnson can make or break Ludwig Erhard, and if the President takes a hard line with him, then in all probability the Chancellor, the Christian Democratic Union, and the alliance together will become relics. The choice for the United States is between the two alliances it has straddled for the last eighteen years. The western or the wartime—which is to be given definitive preference?

In making the choice, it will be essential to consider that if Germany is forced to forgo integration and embark upon the agonizing conversion to a conventional national state, it will inevitably evolve into the Soviet sphere of influence. "In such a case," a Social Democratic leader told me, "the best we could hope for would be neutralization. More probably, since Germany alone—or even with France—would be unable to defend itself, it would have to make its own security accommodation with the Soviet Union."

Mr. Wilson Squeaks Through

CLAIRE STERLING

LONDON

"THE COMMONWEALTH has been tested in the hottest of flames," said Harold Wilson at the close of its Prime Ministers' Conference here in mid-September, "and it has survived." So, he might have added, has Harold Wilson. For ten days, the British Prime Minister was on the defensive at Marlborough House, accused by his brown and black colleagues of dishonesty, perfidy, and moral cowardice in dealing with the white Rhodesians' ten-month-old rebellion. The fact that he came away with a unanimous vote of confidence was a masterly achievement.

The achievement was not Wilson's. It was Lester Pearson of Canada, the Commonwealth's most practiced peacemaker, who managed to reconcile the irreconcilable in drafting the final communiqué on Rhodesia. The wording of this elaborately circumspect document implied two commitments on Great Britain's part that Wilson had resolutely refused to concede: first, that he would in no case grant independence to the rebel colony of Rhodesia without ensuring majority African rule there; and second, that he would seek stiffer, and compulsory, sanctions from the United Nations before Christmas to help suppress the rebellion. But the wording would also permit Wilson to take away with one hand what he appeared to be giving with the other. The African, Asian, and Caribbean delegates would therefore almost certainly have turned down Pearson's draft if it had not been for their faith in him. "We still don't trust Wilson an inch," one of them told me when the long fight was over. "But we trust Pearson to keep him from following his instincts."

If the question of Wilson's instincts took up most of the conferees' time it was because the Africans in particular suspected him of preparing —or at any rate, longing—to make a deal with Ian Smith's racist régime in Salisbury on almost any terms. Whether or not that is specifically true of Wilson, it is evident that at this point the Rhodesian problem would be liable to arouse the basest instincts in any British Prime Minister. The effort to bring down Ian Smith's illegal government by sanctions and other means has cost Britain more than a quarter of a billion dollars, making a serious dent in its own balance of payments but no visible dent in the illegal Rhodesian government. Should the sanctions be extended and become mandatory, along the lines to which Wilson supposedly committed himself at this conference, logic would require their application to Rhodesia's main oil supplier, South Africa, where the British have three billion dollars' worth of investments. In that event, the cost to Britain might be literally ruinous.

ONE MIGHT IMAGINE Wilson going ahead without flinching anyway, if he could be reasonably sure of bringing down the Smith régime fairly soon. But he cannot be sure of that. Time, as President Milton Obote of Uganda observed sadly at the conference, has been Ian Smith's best friend—in more ways than one.

Everybody at Marlborough House was painfully aware of the increasingly arrogant self-confidence shown by Smith's government, the disappearance of any lingering resistance to his policies among the 200,000-odd white inhabitants of Rhodesia, and the utter failure of that country's four million Africans to "rise to the occasion," as an Asian conferee delicately put it. The last point was especially painful. It was all very well for the African Prime Ministers here to demand mandatory United Nations sanctions, which would involve substantial sacrifices not only for Britain but for busi-

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nessmen throughout the world. It was more than a little embarrassing to make that demand, however, when the Africans inside Rhodesia have shown no readiness so far to make substantial sacrifices themselves. As Singapore's Lee Kuan Yew noted—in a formal speech on the conference floor, at that—the Africans' case would have been considerably strengthened at the meeting if, during these last ten months, their fellow Africans in Rhodesia had managed to form a Vietcong.

All the same, their inability or unwillingness to do so does not alter Britain's own responsibility in this unhappy affair. While some white Commonwealth states (Australia and New Zealand, for instance) may not find Smith's racist policies abhorrent, they are bound to agree with their black and brown Commonwealth partners that since Rhodesia has defied the Crown, it is up to Her Majesty's government to suppress the rebellion.

Wilson's Choice

There are two entirely different ways in which this might theoretically be done. The first would be to legalize Ian Smith's government more or less as it stands in exchange for a pledge of allegiance to the Crown and a promise—however lightly made—of ultimate franchise for the African population. The second would be to impose a total, worldwide, mandatory embargo on Rhodesia's trade, calculated to bring its economy to a standstill and Smith to his knees. There is no certainty that either method would work. Smith does not appear to be snatching eagerly at Wilson's latest peace offers, and history has yet to provide a case where sanctions have been imposed successfully. Furthermore, both methods could have such awful consequences for Britain that Wilson can hardly be blamed for his reluctance to make a definite choice.

In a sense, even the angriest Africans at the conference did not blame him, or at least showed unexpected understanding for his plight. Whatever they said on the floor for form's sake, they did not really press him to commit himself fully to the second method. They simply asked him to decide irrevocably against the first. On this, to be sure, they were adamant. No African leader in the late 1960's could condone a voluntary act by the British government perpetuating the rule of a white minority over a black majority nearly twenty times its size. Had Wilson given them complete assurance on this single point, no tempest would have raged in Marlborough House. But he gave them no such assurance when the conference began and none of genuine substance by the time it had ended. No sooner was the conference over, in fact, than his emissaries went haring off to Salisbury for talks with Smith which, for all the Africans knew, might end by confirming their worst suspicions.

Yet they did not walk out of the conference, much less out of the Commonwealth, and Lester Pearson's comforting presence was not the only reason. It was obvious at this meeting that the newer black and brown members of the Commonwealth care a lot more about its survival than many older white members do. A sophisticated Englishman might tell you nowadays that this no longer exclusive club is a nuisance, a burden, and a bore. An African, or Malaysian, or Jamaican would say that he values it as a unique multiracial formation embracing a quarter of the world's population, offering his fledging country money and technical help, the benefits of mature experience, a better knowledge of international affairs, and a sense of belonging. Despite their overwhelming numerical strength in the club now, the weakness of these black and brown members in any confrontation with Great Britain was pathetically apparent here.

Only one of the sixteen colored states attacking Wilson so bitterly—Zambia—actually threatened to leave the conference and eventually the Commonwealth if its demands were not met. It is small wonder that Zambia took this stand: it is alone among the black African states in making a material sacrifice to oppose Ian Smith.

As a member of the late Rhodesian Federation, Zambia had been hopelessly entangled with Rhodesia economically until last November, jointly owning transport, communication, and hydroelectric power facilities and relying on its southern neighbor for ninety-seven per cent of its trade. It has now reduced that trade by a third and plans to cut off another third in the near future, and has undertaken several expensive projects to create alternative routes for its exports and imports. In a secret report to the conference, the Commonwealth Sanctions Committee estimated the "direct, uncompensated costs" of this for the Zambian government at about $16 million, the cost of subsidies for necessarily higher-priced consumer goods at $70 million a year, the loss of revenue on copper exports (until alternative routes are completed) at $150 million, and a drop of twenty per cent in national income and of fifteen per cent in paid employment. So far, the British government has offered less than $50 million to help cover these costs; and Zambia, though prosperous by African standards, is a small, underdeveloped nation. If anyone has a right to challenge Britain's stand on Rhodesia from beginning to end, therefore, it is Zambian President Kenneth Kaunda. Wilson, Kaunda says, lost his first and best chance to quell the revolt by failing to move decisively within a week of the Unilateral Declaration of Independence, and the British Prime Minister's policy since has been demonstrably more hesitant and less principled than Kaunda's own.

Although he has talked of renouncing British aid and leaving the Commonwealth, President Kaunda has postponed his decision while waiting to see what comes of the Prime Ministers' Conference communiqué. Should he decide to leave, the Commonwealth would be much the poorer. Africa has produced few leaders of such balance and stature. The absence at Marlborough House of Kaunda himself and the one or two Africans who compare with him—Jomo Kenyatta of Kenya, for instance—left a leadership vacancy that men like Milton Obote of Uganda or Sir Albert Margai of Sierra Leone could not fill. Wilson, who found it easier to come out on top under the circumstances, might not mind that. But the Commonwealth, already showing marked signs of wear and tear, should and perhaps will.

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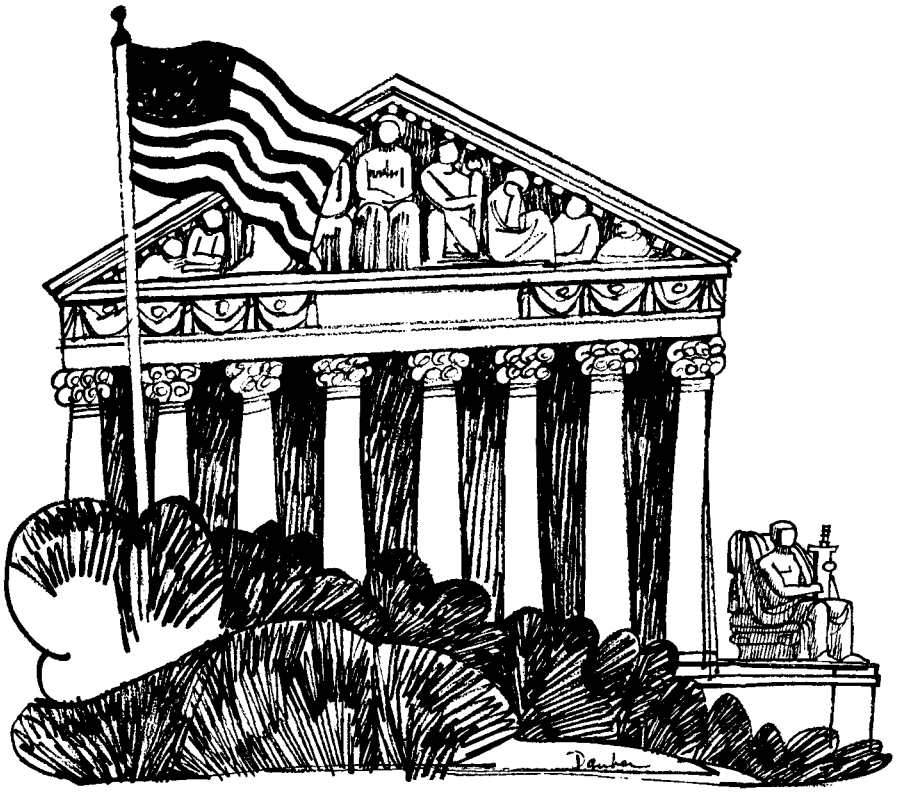

The Electoral College Goes to Court

NEAL R. PEIRCE

SCARCELY NOTICED by the legal and political-science communities of the country, a massive legal assault is being launched against a bastion of the American political system—the Electoral College method of electing the President.

The official sponsor of the suit, which is on the Supreme Court's October calendar, is the state of Delaware, acting through its attorney general, David P. Buckson. He and the three other lawyers chiefly responsible for the suit range from conservative Republican to liberal Democrat. But they have agreed upon one point: that the so-called unit vote, or "winner-take-all" system of awarding each state's Presidential-elector votes, deprives the minority voters in each state—often as many as forty-nine per cent of the electorate—of any effective voice in the decisive national count. In fact, citizens in a minority in their particular state actually see the weight of their votes applied for the candidate they oppose in the Electoral College. This "arbitrary misappropriation of minority voting strengths," Buckson and his colleagues argue, is a clear deprivation of the Fourteenth Amendment's guarantees of equal protection of the laws for millions of voters.

In a separate though related point, the backers of the Delaware suit argue that the unit vote discriminates against the citizens of small states in favor of those in large states. For example, under the unit-vote method, the shift of one hundred votes in New York State could change forty-three electoral votes in a close election. But the shift of one hundred votes in Delaware could change only three electoral votes. As a result, they argue, the citizens of large states have monopolized Presidential nominations of the past century, reducing residents of Delaware and other small states to "second-class citizenship."

Five years ago, before the Supreme Court had begun the "one man, one vote" revolution in redistricting state legislatures and Congressional election districts, a legal challenge to the operation of the Electoral College would have been unthinkable. Even today, it would be impossible for the Supreme Court to outlaw the Electoral College altogether. The Constitution specifies the system of giving each state as many Presidential-elector votes as it has Senators and Representatives combined—and thus it is not subject to judicial review.

THE "winner-take-all" system is not written into the Constitution, however. As Delaware argues, it was never contemplated by the Founding Fathers but evolved in the early nineteenth century when a number of states adopted it to maximize their voting weight in the Electoral College, forcing the other states to follow suit or accept a serious dilution of their effective vote for President. Thus Delaware is able to ask the Supreme Court to take the audacious step of declaring unconstitutional the unit-vote laws of all fifty states and the District of Columbia—employing precisely the same doctrines of political equality the court has enunciated in the reapportionment cases of the past half decade.

The backers of the Delaware suit acknowledge that they face a stiff battle in getting the Supreme Court to hear their case at all. But they have been heartened by the willingness of ten other states to join them as plaintiffs—Pennsylvania, Oklahoma, Kentucky, Iowa, North Dakota, South Dakota, Arkansas, Wyoming, Florida, and Utah. Still more may follow. Such a substantial case of interstate litigation, they feel, would probably not be dismissed by the Supreme Court out of hand.

The quality of Delaware's brief is appreciated nowhere more keenly than in the office of New York Attorney General Louis J. Lefkowitz, where the initial response is being formulated. As the state with the largest number of electoral votes—forty-three—New York is named as the first defendant in the suit, giv-

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ing the case its name, *Delaware* v. *New York*. All the other states are also named as defendants, though they have the option of switching to co-plaintiff status.

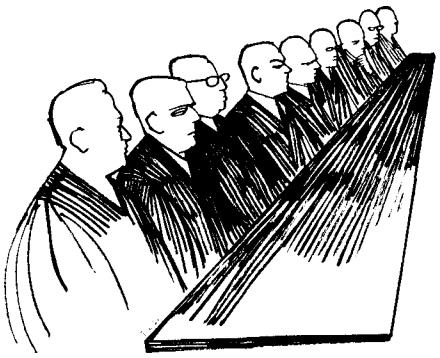
Like most major cases considered by the Supreme Court, *Delaware* v. *New York* took years to formulate—and changed appreciably as it was perfected. The lawyers who prepared Delaware's brief leaned heavily on the Supreme Court's recent decisions, beginning with the historic Tennessee districting case, *Baker* v. *Carr*, in 1962 and *Gray* v. *Sanders* in 1963. In both cases the court employed the Fourteenth Amendment to strike down state laws in the voting field—in the latter case, Georgia's county-unit or "little Electoral College" method of choosing Congressmen and state officials. For the first time in *Gray*, the court enunciated the clear principle that in the election of a single official in a single constituency, the standard must be "one person, one vote." The court specifically refused to countenance the Georgia county-unit system because it resembled the Electoral College method of electing the President; indeed, it dismissed the Electoral College with a remark that its ideology belonged to a "bygone day." Thus *Gray* presented an open invitation for a legal challenge to the state unit-vote system of choosing Presidential electors. The idea received fleeting press attention in the spring of 1963, but no one took concrete steps to start any type of litigation.

The Gosnell Impetus

In March, 1964, two men met for lunch in Washington and discussed the possibilities of actually filing a suit aimed at the unit-vote system. They were John A. Gosnell, chief Washington representative for the moderately conservative National Small Business Association, and J. Harvie Williams, executive secretary of the strongly conservative American Good Government Society. Gosnell had long taken a layman's interest in the Electoral College and felt that it should be reformed by one method or another. Williams was strongly in favor of a specific alternative—choosing Presidential electors by individual districts within each state, a proposal that would increase the influence of small states and rural, conservative areas at the expense of the large states and liberal groups within them. (The leading Congressional backer of the district plan in recent years has been South Dakota's conservative Republican Senator Karl E. Mundt.)

During the next thirty months, Gosnell was to emerge as the counsel of record and chief organizer of Delaware's suit against the Electoral College. Williams was to see the litigation going much further than the district plan he favored—leading, in fact, in the direction of a popular national vote, an alternative Williams has opposed because he fears it would weaken the Federal system. Thus as time went on, Williams took less and less of a role in planning for actual litigation.

Even by April, 1964, the idea of an interstate suit against the Electoral College's unit-vote system was taking shape. Gosnell invited about fifteen men to a meeting in Washington on



April 2 to discuss the possibilities. Among those present was James C. Kirby Jr., the former chief counsel for the Senate Judiciary Constitutional Amendments subcommittee under the late Senator Estes Kefauver. Kirby, now a professor at Northwestern University Law School, was the first liberal Democrat to take a part in preparing the litigation. His influence was to grow steadily as the case took shape. At another meeting eight days later, Attorney General Buckson of Delaware was present. Buckson took an immediate interest, and soon afterward he announced that if a sound case could be prepared, he was interested in making Delaware the official sponsor.

THE NET EFFECT of the court's excursions into what Justice Felix Frankfurter warned was a "political thicket" was to destroy the basic political argument that had been used to kill Electoral College reform in the 1950's. Defenders of the unit system had argued that since state legislatures and Congressional districts were malapportioned to favor politically conservative rural and small-state interests, it was only right that the unit-vote system be preserved, since the system gave crucial power in Presidential elections to pivotal industrial states with concentrations of liberally oriented minority groups. The classic exposition of the argument had been given by Senator John F. Kennedy in a 1956 Senate debate on Electoral College reform. Opposing proposed modifications of the Electoral College, Kennedy warned: "It is not only the unit vote for the Presidency we are talking about, but a whole solar system of governmental power. If it is proposed to change the balance of power of one of the elements of the solar system, it is necessary to consider all the others."

Kennedy's understanding of the Electoral College was to be demonstrated in 1960, when he concentrated his Presidential campaign on the major industrial states and won by an electoral vote of 303 to 219—while the popular vote showed him leading Richard M. Nixon by the most precarious margin of the century. Under one proposed Electoral College reform, a proportional division of each state's electoral votes to reflect the popular vote, Kennedy and Nixon would have ended in a virtual dead heat. Under the district system backed by Mundt and the conservative group, he would have lost to Nixon, 244 to 279.

Kennedy could not have anticipated in 1956 that his own observations about the "solar system" of American politics would be used in the 1960's to justify changes in the Electoral College system. But Gosnell, Kirby, and the other opponents of the unit-vote system quickly discerned a new argument for their case. If legislative malapportionment favoring rural areas was to be ended by the Supreme's Court's decisions, they reasoned, it was only fair that the inherent weighting of the Presidential unit-vote sys-

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tem in favor of the pivotal industrial states should also be ended.

Armed with new ideological justification in their case, Gosnell and his cohorts turned to a more immediate problem: money. Buckson saw no appropriate way to pay legal expenses from the Delaware state budget, so Gosnell appealed to the board of his Small Business Association for backing. He was given permission to make moderate expenditures on the project as a public-service venture. By mid-1966, the total appropriated from this source ran to just over $10,000. Legal aid was needed too, but despite numerous inquiries, the law schools of the country produced little assistance and tended to discourage Gosnell about the possibilities of his project. He did find one valuable new ally in Robert G. Dixon, Jr., a professor of law at George Washington University, who occupied a middle ground between defenders and opponents of the court in the reapportionment field. He became the final member of the legal foursome—Gosnell, Buckson, Kirby, and Dixon—that would perfect the legal structure of *Delaware* v. *New York*.

A Shift in Ideology

As the case crystallized, it underwent a major transformation. At first, its authors had thought almost exclusively in terms of the alleged discrimination of the larger versus the smaller states. But Kirby and Dixon, the academic counsel drawn into the case, insisted that this point was too tenuous and in any event was not the strongest argument. On their urging, the Delaware brief adopted and then placed more and more emphasis on the argument that the unit-vote system deprived minority voters of equal protection of the laws, regardless of the state they lived in. This position, rooted in the political-equality theories of the reapportionment cases, was to become dominant in the final brief and it was the argument that appealed to Pennsylvania, which has twenty-nine electoral votes, when it became the first big state to join the Delaware suit.

In the spring of 1965, Buckson arranged a panel on Electoral College reform at the annual meeting of the National Association of Attorneys General in San Antonio, Texas. Gosnell told the panel that in view of the Supreme Court's prevailing emphasis on the rights of equal suffrage in the reapportionment cases, the court would subject itself to a "charge of gross inconsistency" if it refused to hear Delaware's case simply because of the broad political ramifications involved. Kirby and Dixon made it clear to the panel that they considered a direct national vote for President the only acceptable final remedy. The most valuable result of the meeting was to alert the attorneys general of all the other states to the suit, and to lay the groundwork for getting some of them to join Delaware as plaintiffs.

Most of the final drafting problems were ironed out when the participants all met at the 1966 meeting of the attorneys general in Cleveland in May and decided to send the brief to the printer. On July 20 it was ready for formal filing. A few days later one of the authors of the case mirrored the enthusiasm of the drafters. "If the court sustains our position," he said, "the Delaware case will get a chapter heading in the history books. If we lose, the case will at least get a footnote. I say that because I'm convinced that the doctrine of political equality the case espouses must surely reach the Presidency in our lifetime."

Almost one hundred pages in length, the Delaware brief constitutes a remarkable tour de force on all the laws and Constitutional precedents affecting voting rights and the institution of the Electoral College. But an introductory statement acknowledges that the "ultimate correction" of the conditions complained of may lie only in Constitutional amendment. "Unless this court sees fit to 'open the door,' and point the way through interim relief, as it did in the field of legislative apportionment," Delaware contends, "no Constitutional amendment aimed at fair and just reform of the Electoral College is likely to come from entrenched political interests which are satisfied with a voting device that suits their purposes."

Delaware's brief could have pointed out—but did not—that sharp differences of opinion on the best alternative have been a major bar to submission by Congress of a Constitutional amendment on the Electoral College.

In 1950, the Senate actually approved a proposed proportional system—the so-called Lodge-Gossett amendment—but the House failed to act, reportedly after the quiet intervention of Senator Robert A. Taft, who feared that the Republican Party would suffer through its enactment.

In 1956, the Senate considered an odd hybrid amendment, permitting each state to adopt either the district system or the proportional method. The intervention of liberals led by Senators Paul H. Douglas (D., Illinois) and John F. Kennedy helped prevent that proposal's winning the necessary two-thirds vote.

In 1961 the Kennedy administration proposed a minor change, abolishing the office of Presidential elector (to prevent the phenomenon of runaway or independent electors) but retaining electoral votes and making the unit-vote system mandatory. President Johnson repeated the same proposal in 1965. Each time, the idea encountered a chilly reception from Congressional advocates of reform who said the administration was trying to freeze the worst element of the current system—the unit vote—into the Constitution.

Throughout these years, a relatively small minority in Congress favored direct election as the only remedy that would avert the possibility that the victor in the popular vote would lose the election in the Electoral College. The idea was usually dismissed as utopian, on the theory that small states would never give up the special advantage they

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enjoyed by virtue of the two extra electoral votes corresponding to their Senators.

Direct election appeared to have won important new backing last May, however, when a stalwart administration Democrat, Birch Bayh (D., Indiana), chairman of the Constitutional Amendments subcommittee of the Senate Judiciary Committee, announced that he was discontinuing his support of the administration's Electoral College proposals and would work for a direct national vote in the future. When questioned about possible small-state opposition to a national popular vote, Bayh pointed out that a number of Senators from lightly populated states favored direct election.

Apparently sensing this trend of sentiment, Delaware's brief concludes with the suggestion that "the ultimate result" of a Supreme Court finding in its favor "might be the submission of a proposed constitutional amendment for direct national election."

Two Hurdles

The solution of a direct popular vote would doubtless appeal to a substantial majority of the present Supreme Court—especially in view of its "one man, one vote" decisions of the past few years. In addition, the reapportionment precedents suggest that the court—if it really wanted to—would see no insurmountable obstacle in finding Delaware's suit justiciable and in determining that the state had proper standing to bring the suit in pursuance of its citizens' basic voting rights. The court could easily sustain the individual citizens'-rights argument of Delaware's case, while rejecting or simply ignoring the argument about alleged discrimination against the small states.

Two other obstacles still stand in the path of Delaware's suit, however. The first is the problem the court would face in formulating a satisfactory remedy, since it could not abolish the Electoral College altogether. It seems safe to assume that it would not direct adoption of the district system, since that method would simply transfer the "winner-take-all" system and its resultant disenfranchisement of minority voters from the state to the district level—while transferring the balance of power in Presidential elections from the large industrial states to the smaller states and rural areas.

The only alternative remedy at hand would thus seem to be the proportional system. This course would probably appeal to the justices as a major step along the road to full political equality in Presidential elections, since each citizen's vote would be reflected in the national count.

But the court might decide that the proportional system simply corrected one area of Electoral College inequality—the alleged advantage the unit-vote system gives the larger over the smaller states—while leaving intact an equally serious inequity—the greater weight, relative

to population, that the Constitution gives to smaller states in electoral votes. This inequality, based on the arbitrary appropriation of two extra electoral votes for each state based on its Senators, must remain until the nation decides to amend the Constitution and abandon the Electoral College altogether. And as long as it remains, there is always a chance that the man who gets the most popular votes will lose in the electoral count. While the existing unit-vote system actually caused the election of the losers in the popular vote in 1824, 1876, and 1888 (with a near miss in 1960), the proportional system would have elected the popular-vote losers in 1880 and 1896.

The Delaware-case backers regard the possible disinclination of a predominantly liberal Supreme Court to order electoral changes that might favor the conservative cause as their second greatest obstacle. Outlawing the "winner-take-all" system would eradicate a special advantage most observers believe the unit system now gives to the major industrial states and their urban masses. Though the point could be disputed because of the growth of cohesive ultraconservative groupings in a number of large states, it has generally been assumed that the unit vote gives liberally oriented minorities a pivotal position in the states with the largest blocks of electoral votes. For this reason, many liberal and reform-minded pressure groups have drawn the line when it comes to reforming the Electoral College. The interesting question the court will now have to answer is whether it draws the line at the same place.

Mindful of the explosive political issues the court may encounter once it comes to remedies, the Delaware brief urges that the court first establish the unconstitutionality of the unit system as it operates today—and then, as it did in the 1954 school-integration case, conduct separate and further hearings on the appropriate remedy.

One course open to the court would be to make a general rule that each state's electoral votes must reasonably reflect the division of voter sentiment within the state—and then leave it to Congress, using its Constitutionally mandated powers, to carry out the purposes of the Fourteenth Amendment by devising a precise remedy.

The job would then fall on Congress, and a prolonged argument over the comparative merits of the district and proportional methods might well ensue. It is not impossible that the lawmakers would then turn to direct election, effected through Constitutional amendment, rather than face the complexities of the available interim remedies. A recent Gallup Poll showed sixty-three per cent of the respondents in favor of direct election, suggesting that in an era of increasing nationalization of American politics—most particularly the Presidency—the solution may be closer at hand than anyone imagined.

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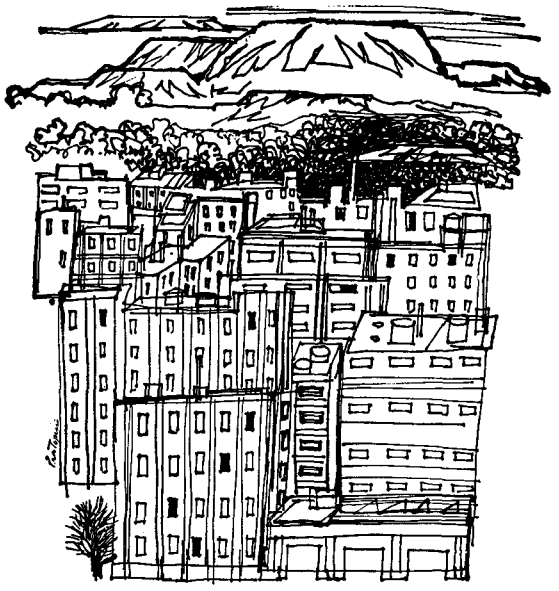

South Africa Gets a New Warden

ANTHONY DELIUS

CAPE TOWN

IN THE South African Parliament at 2:15 P.M. on September 6, two days before his sixty-fifth birthday and after eight years in office, Prime Minister Hendrik Verwoerd was stabbed to death under the gaze of bewildered spectators in the packed public galleries. Scarcely had the initial shock and horror subsided in the first dramatic hour than people were asking, "Do we get Vorster now, or a little later?" A week later the Nationalist parliamentary caucus of 163 Assembly members and Senators delivered the answer from a committee room in the rambling Victorian edifice that houses the legislature in Cape Town. The new leader of the ruling Nationalist Party, and therefore the new Prime Minister of the Republic of South Africa, is Balthazar Johannes Vorster, former Minister of Justice, Police, and Prisons.

With each new Prime Minister (Vorster is the fourth in eighteen years of Nationalist rule), the authoritarian trend of Afrikaner Nationalism has become more pronounced. The degeneration of democracy under Dr. Verwoerd was far more rapid than under his two predecessors, and it was Vorster who put many of the most unpleasant aspects into effect. Verwoerd, a former professor of psychology and sociology and a newspaper editor, stood as the supreme intellectual and propagandist of apartheid. Vorster, who has been more a professional political organizer than a lawyer, stands as the most skillful deployer of the growing force and security arrangements on which the system must inevitably be based. Verwoerd was remote, somewhat withdrawn, much a keeper of his own counsel; Vorster is companionable, a weekend golfer, approachable by the press and by distressed parents of students arrested for political demonstration; he has even been known to visit prisoners who have asked for a personal interview.

He maintains that he had a much tougher time during his two years' detention (without trial) under the wartime Smuts government than did the many persons who have been banned or summarily detained under his ministry. He was detained in 1942 on suspicion of complicity in sabotaging the war effort while he was a leading member of a paramilitary group of Afrikaners broadly sympathetic to Nazism and Fascism. He has little direct knowledge of the outside world—he has gone on one cruising holiday that took him to South America—and is politically the inbred product of the intensely local Afrikaner Nationalism.

PROBABLY what was most attractive to Vorster in German National Socialism was the grave threat it posed for British imperialism, which he believed prevented the Afrikaner from coming into his own in South Africa. Today he declares that he believes in parliamentary democracy, describing democracy as the right to meet and protest, and to vote in general elections for the candidate of one's choice. (The only effective franchise in South Africa is completely in the hands of the whites, and Afrikaners make up more than sixty per cent of that group.) A leading Nationalist recently remarked privately: "Vorster would like to be a democrat, only he doesn't know the meaning of the word."

In his five years as minister his chief concern has been in strengthening the police forces generally, expanding the Security (mainly political) Police, and greatly adding to its powers of detention without trial. More than any predecessor, he has made use of a complex of anti-Communist statutes to suppress any association that can even remotely be considered political.

Strength and implacability seem to be the characteristics Vorster has impressed most upon the public. His fellow Afrikaners (there were only two British-descended members in the caucus that chose him) have elected him because of his appearance of rugged and rocklike determination. Also they believe, whatever the national and international uncertainties may be, that nobody can be more completely depended upon to maintain the present overwhelming Afrikaner domination of the political scene and the machinery of government.

Primarily Vorster will be concerned with the security of the white order in which the representatives of the two million Dutch-descended Afrikaners govern and the 1.25-million-strong British section is left free to

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pursue its commercial and social affairs with virtually no political power. Within this frame he will have to try to fit what he can of Verwoerd's vision of "separate freedoms" for the unenfranchised twelve million Africans, half million Asians, and 1.75 million persons of mixed race known as Coloureds.

The Heritage

One big brooding question hangs over the present situation in South Africa: Can any possible successor of the assassinated Prime Minister exploit the political heritage left by him or even maintain it efficiently? In every aspect but one, the present brightening international prospects of South Africa are due to Dr. Verwoerd's daring if somber insight. That exception is the powerful economy of the country, which in the last four years has developed one of the highest expansion rates in the world. In a way, the economy is setting up a growing counterforce to his dreams of "separate development" for the races, because it is drawing more and more Africans into the central services and mining, industrial, and agricultural enterprises. But Verwoerd believed he could overcome even this obstinate and enduring fact of life by political sleight of hand.

At the beginning of his premiership he propounded the policy of "Bantustans," whereby the Africans would vote and have full national self-expression in eight picturesque tribal "homelands." These constitute some thirteen per cent of the country. They would remain economically dependent on the "White Republic," offering their labor as migrant workers, statutory "temporary sojourners." As Verwoerd explained it, "The Bantu will always be present as a group but not as individuals." If they want wider fulfillment as individuals they will have to seek it in the Bantustans. The first of these, the eleven-million-acre Transkei, which now has its own parliament and semi-autonomous black government, even goes so far as to talk of independence in a distant future.

This policy, Verwoerd insisted, was a South African adjustment to modern post-colonial Africa. With it he faced the doubts of his own followers, the total rejection by independent Africa and urbanized local Africans, and mounting U.N. votes of condemnation. He believed that the hasty independence granted to Africa would collapse in growing chaos, and events have proved him right in the eyes of South Africans and many others. He was convinced that threats to blockade South Africa or wreck its economy with boycotts would never work or even be seriously attempted.

He withdrew from the Commonwealth in 1961, declaring that the "immature" Afro-Asian domination of it would eventually wreck it —and the crisis within this multiracial organization over Rhodesia seemed to be proving him right. He poured immense legal effort into South Africa's defense of its forty-five-year-old mandate over the former German colony of South-West Africa, and the World Court this year decided that Liberia and Ethiopia had no standing to challenge the Republic's administration of that vast territory. The tragic events in Africa's most populous country, Nigeria, appeared at the very moment of his death to be proving that major African tribes could not live together—and how could one expect the even wider gulf between black and white to be bridged? Even events in the racially troubled cities of the United States seemed to be making his point, as President Charles R. Swart's address to the new South African Parliament underlined at the end of July.

Perhaps his most immediate areas of triumph were the three sparsely populated British protectorates lying on South Africa's borders, one totally surrounded by South African territory and all economically bound to the Republic. Two have now become independent states, Bechuanaland as Botswana on September 30, and Basutoland as Lesotho on October 4; the third, Swaziland, will become independent in the near future. All have black governments willing to work closely with South Africa on a live-and-let-live basis. For the first time there are potential African members both of the United Nations and of the Organization for African Unity that would not join in the general condemnation of the Republic or advocate boycotts against it. Verwoerd was prompt to cite these countries as examples of his declared policy to assist all friendly countries in Africa to "maintain themselves in independence." Practically his last major public act was to meet the Prime Minister presumptive of Lesotho, Chief Leabua Jonathan, in Pretoria for cordial discussions about relations in independence. This was the first official top-level meeting between white South Africa and independent Black Africa—a small but significant beginning.

It was typical of Verwoerd's lone methods of operation that fellow members of his government hardly knew the details of what was decided at that meeting, or what developments of policy he might evolve from it. On the day he was murdered, he was to make an important speech outlining his policy toward the protectorates more fully. Among the most interested listeners would have been his own cabinet ministers. An influential group of Nationalist intellectuals, who hold that "separate development" can be made to work only by more generous arrangements for the nonwhites in the Republic, hoped that he would announce cautious beginnings that would eventually lead to a fairer partition of the country between the races. They believed that Verwoerd had come to realize that giving from strength, at the height of his power, was the only real way to guide the whites to a more permanent settlement with the black men on whose continent they lived. He died with the speech undelivered, and as he rarely spoke from full notes, his jottings are cryptic.

Though there is in no sense a split in the Nationalist Party, strains are developing within it. The chief division is between what are known, unofficially, as Southerners and Northerners. (The groups represent a political attitude rather than a geographical alignment.) The Southern Nationalists, who believe that "separate freedoms" should be developed dynamically and probably enlarged for the nonwhites, are already claiming that Verwoerd had not yet spelled out the "end of the road" for apartheid. Obviously they regard the present allotment for the

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nonwhites as far too meager. They also believe that the proposal of a "state within the state" for the Coloured people as a lasting solution is nonsensical—the Coloureds, many contend, belong with the white group.

The Southerners represent a minority trend in Afrikaner thought and attitudes that originated in the long-settled (three hundred years) and gracious Western Cape area, the immediate hinterland of Cape Town. They want an "outgoing" Afrikanerdom, one that welcomes the English-speaking section and, perhaps in time, the Coloured people, who are anyway simply nonwhite Afrikaners in language and religion and partly in blood. They do not relish isolation from the movements and manners of the rest of the western world, and they would prefer a dialogue with the rest of Africa, starting with "our own Bantu." They see salvation, not only for the black peoples but for the whites themselves, in a greater and more thorough division of the land between black and white.

The Northerners have a bleaker approach. The English are to be absorbed when some day they are thoroughly Afrikanerized. The nonwhites are all to be held at arm's length, used as labor when and where required, treated justly but firmly, and left to do as best they can in the homelands already allocated to them. The Afrikaners themselves are to be kept as culturally ingrown and inward-looking as possible, repelling all foreign, liberal, and humanistic influences. The Northerners' spiritual home is the comparatively recently settled Transvaal and the bare, wide high veld. Their pace-setting group specializes in organizing anti-Communist fronts and allegedly has international contacts with European and American right-wingers.

THE BATTLE between the two Nationalist groups has already been joined. The visible signs are the differences of emphasis in policy matters between the Southern papers of the National Press, with headquarters in Cape Town, and the Northern Afrikaner Press, with headquarters in Johannesburg. Lately the Southerners, backed by a number of Afrikaner financiers, have opened a Sunday newspaper in enemy territory, Johannesburg, where it is gaining in strength despite fierce Afrikaner Press competition. Relatively large sums of money are being thrown into the struggle.

It would have been hard to call Verwoerd a Southerner—he was a director of the Afrikaner Press—but the Southerners believed that his realism was inclining him more and more toward them. It is even more difficult to call Vorster a Southerner. He repeats the favorite Northerner dictum that "Liberalism leads to Communism," and he has been the chief hounder of liberals on this basis. He has practically driven the little Liberal Party from the field by banning forty of its officials and organizers from taking part in elections. The Southerners don't actually attack this ruthless hammering of the liberals, but they

publish articles calling on Afrikaners to be "adult about liberalism."

At this moment the Northerners seem to be a growing influence in the party and among the gray center groups who try not to become committed to either wing. The Northerners were delighted when Vorster became the party leader and Prime Minister. The Southerners were inclined, in private, to be gloomy. They would have preferred Ben J. Schoeman, also a Transvaaler, a locomotive engineer and now Minister of Transport. Vorster may even have to make some gestures in a Southerly direction to promote Afrikaner solidarity. But for the moment both sides are biding their time.

Certain people whom the public associates with Northern thought are in positions of great power, notably the head of the unabashedly party-propagandist and right-wing radio, the head of the Security Police, and the head of the army, which is the best-equipped and -manned military force in Africa. They represent among them South Africa's shield of security against subversion, propaganda attack, and direct onslaught. Whether or not the Northern influence on Vorster will increase as he has to deal with the broader realities of South Africa's situation in the world, the country is well placed for any time of troubles.

THE NEW PRIME MINISTER'S first broadcast to the nation was a model of moderation in South African terms. He did not make a major point of white recalcitrance but spoke on behalf of all races: "We the whites, the Coloured people, the Indians and the Bantu [Africans] will show the world we do not only have in principle the solution to the race problem but that we will also prove it in practice."

Almost the first external matter with which Vorster will have to deal is that of South Africa's relations with the rebel Rhodesian government and with Britain. This was a subject that Verwoerd had taken very largely into his own hands. However much sympathy he felt for the embattled white Rhodesians, there was the ever-present threat that the struggle might be forced out of British control and that South Africa might find itself facing mandatory U.N. oil sanctions as part of the effort to starve out the Ian Smith régime. Vorster, who has never had to face the outside world before, now has to take up where Verwoerd left off. It will be a fit introduction to his new duties, for the problems he will meet will probably become increasingly difficult during his tenure. It seems unlikely, however, that South Africa can produce two Verwoerds in succession, and there are those in Cape Town who believe that only Verwoerd could have carried on from where he was so suddenly stopped.

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Upward Bound: A Summer Romance?

MARK LEVY

More than twenty thousand teenagers, impoverished both financially and culturally, recently completed a two-month flirtation with higher education on 223 campuses ranging from Southwest Texas State to Harvard. They participated in the first full summer program of Upward Bound, a $27.7-million-a-year anti-poverty program that sends underachieving high-school students to colleges for two or three summers of remedial tutoring. The goal, according to the Office of Economic Opportunity, is to "increase a youngster's promise for acceptance and success" in college. But now that the students have returned to the same inadequate schools and backgrounds that have kept them in intellectual poverty for years, the Upward Bound experience may have become, as one Midwestern poverty official has said, only "a little taste of honey... taken away when the summer is over."

The students selected for Upward Bound come from environments that normally would preclude thoughts of college. Yolanda, who lives in a migrant labor camp in Oregon, is nineteen years old but has never attended high school. Jimmy, who grew up in the Negro slums of Detroit, has been in juvenile court three times—twice for running away from home and once for stabbing his mother's boy friend. A few of the participants are American Indians; others are from the hills of eastern Kentucky or the streets of Harlem. They share two characteristics. All come from families whose annual income is below the poverty line—$1,080 to $4,135, according to the size and place of residence of the family. And all have poor scholastic records; most failed several subjects last year, and few of them score well on the usual battery of mass-administered school intelligence tests. Nevertheless, they are thought to have a potential far above their past levels of intellectual achievement. That potential often is measured only by the intuition of a teacher, a social worker, a probation officer, or a minister. Upward Bound's success depends, to a large extent, on the finding of dormant talents.

With only one full summer session completed, it is much too early to know how effective Upward Bound will be, but the program has already stirred a controversy. Its director, Dr. Richard T. Frost, citing what appeared to be impressive results from a 1965 pilot program, has great hopes that the experience will stimulate at least half the underachievers to realize their fullest capacities and become college students. However, Dr. Kenneth B. Clark, the social psychologist, is less optimistic: "Until it is demonstrated otherwise, I must believe that only the very smallest minority of youths in Upward Bound will be substantially benefited," he told me. One local Upward Bound director went even further in his criticism. "Frankly," he said, "I would be surprised if more than a half dozen of our seventy-five kids even tried to go on to college. Few of them have any special talents and most just don't have the I.Q., however you measure it. We may be perpetrating a colossal fraud on them by making them believe they are college material."

Upward Bound recruiters had to deal with other kinds of criticism. Conservative local school officials often were reluctant to co-operate. The director of the project at the State University of New York's Stony Brook campus on Long Island, A. William Godfrey, said this was true in the well-to-do suburbs of Suffolk County. "Most people here prefer not to acknowledge the existence of poverty," Godfrey said. "Some high-school officials told us that none of their students were poor enough to qualify. That's rather discouraging when I know several of their students do qualify and need our help."

In Chicago, an Upward Bound director had to appeal to the city superintendent of schools for permission to enroll a certain Negro girl in the program because her high-school principal had demanded that she attend the overcrowded regular summer school as punishment for an infraction of school discipline. The director finally was allowed to place her in Upward Bound's superior remedial classes.

Southern Upward Bound centers faced special difficulties. Not one white youth was recruited in Alabama or Mississippi. The resulting all-Negro classes violated the program's guidelines, which state unequivocally, "No factor is more detrimental to the achievement of the goals of Upward Bound than segregated education." Dr. Frost gave me an explanation for Upward Bound's breach of its own rules: "In those two states only Negro colleges applied for Upward Bound funds. Even if local officials had sanctioned our program, I doubt that white

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youths would have been able to overcome their dual prejudice against attending a Negro college and living in an integrated dormitory. We thought it was best to go ahead with the de facto segregated situation." In Georgia, difficulty in staffing one center arose when a local superintendent threatened two white teachers with dismissal if they participated in the summer program. The teachers, dedicated to desegregation, were threatened with the loss of their jobs or transfer to all-Negro schools in the fall. Although the prospect of transferral did not bother them, the job threat was a more serious matter. They were allowed to teach, however, after Upward Bound officials negotiated with the local school board

Target of Extremists

Upward Bound was a target for political extremists in some areas. The recorded telephone voice of the radical Right, Let Freedom Ring, attacked the project in Pennsylvania and North Carolina as "a cynical use of poor persons for political and revolutionary purposes." Radio Station KRUX in Phoenix blasted Upward Bound as "a costly example of the arrogant manner in which the bureaucrats throw away the taxpayer's money," while WBML in Georgia hinted of promiscuity: "boys and girls were living in one dormitory." Crosses were burned twice in front of the dormitory where an integrated Upward Bound group was housed at Purdue University in West Lafayette, Indiana.

At San Francisco State College the latent racial antagonisms of the students broke out in fist fights after several weeks of agitation on the campus by members of the nationalist Black Students Union. Angered by a petty incident in the dormitory and excited by a Black Nationalist lecturer who spoke at the invitation of Upward Bound officials, three Negro girls assaulted a group of white girls. After the fight was stopped, the program's staff asked the students in their assembly to devise a punishment for the girls. By a small majority, the youths voted for expulsion. To prevent further violence, several social workers and a detective from the Human Relations Squad of the San Francisco Police had to be brought to live in the dormitory with the students. The seemingly imperturbable Dr. Frost's bland comment was: "We expected that the outside world would intrude into our campuses. Trouble shows only that we have imported the poverty culture with all its problems onto the campus."

WHILE the teen-age products of the "poverty culture" were on the campus, Upward Bound tried to remedy their academic deficiencies. Because the national administrators were anxious to get the programs under way and because methods for teaching the culturally disadvantaged are still the subject of heated academic debate, the form of this remedial work was allowed to vary from program to program. The national office did not prescribe a list

of subjects to be taught, merely suggesting that the end product should be the development in the teen-agers of "critical thinking," "effective expression," and "positive attitudes toward learning." To a large extent, the course work depended on the philosophy and goals of the staffs. For example, the program at Columbia University, locally called Double Discovery, required students to attend a rigorous daily schedule of classes taught by high-school teachers from the New York City schools. The classes were accredited by the city's school system, and students passing Double Discovery's courses received full credit in English, mathematics, and science. In contrast, the directors of Upward Bound at Trenton State College in New Jersey, heeding the social-work dictum "Make it relevant to their experience," allowed the students to determine the course content. After two weeks with the three Rs, they decided to produce a poverty-war version of a Broadway musical.

Since traditional education has failed the youngsters in Upward Bound, the program encouraged experimentation—sometimes of a sort guaranteed to arouse its critics. For example, the Mendelian theory of genetics was introduced to one group via a discussion of this question: "If all the people in the United States married randomly and had children, what color would Americans be in three generations?" Social-studies teachers often took the daily newspaper as their text, and a review of current events sometimes became a criticism of social ills. "Maybe our discussion will help these kids realize that although society needs rules, not all of those rules are just," one young instructor said. "I hope that my students will come to understand that when the cops give them a rough time something can be done about it. Maybe they'll learn that unjust laws don't have to be obeyed but can be changed."

Next summer, the course work may be more uniform. The Office of Economic Opportunity will be holding regional evaluation meetings this month, and Syracuse University has been given a contract to assess the effectiveness of the various approaches. Stricter guidelines are expected to be the result.

Models of Success

College students were an important element in the program. They shared teaching assignments with professors and lived in the dormitories as counselors, taking responsibility for small groups of Upward Bounders. It was also hoped that they would serve as models of success, even though few of last summer's counselors came from impoverished homes, and programs with large numbers of Negroes often lacked Negro counselors. One New York State director whose group was more than half Negro said: "We tried to get Negro counselors, but our school doesn't have too many Negro students to begin with. Thank God we were able to get at least one!"

When classes were not in session, a variety of other activities were planned—intramural sports, field

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trips, movies, and swimming. Even so, many of the youths often grew restless in the strange middle-class surroundings of the colleges. One boy wrote: "In rocking moods I watch the halls. As I turn into the lounge, records blasting, rock my ears. I see cigarets lighting the sound. People talking without stop and I see the people dashing all witch way. And I walk into my room and hit the sack."

In these slack periods the counselors attempted their most difficult job—getting through to the kids. As one experienced worker said: "They have never had a teacher who took the time to listen to their questions and give them good answers. They have been treated as if they couldn't learn, and so they haven't." One fairly reliable method was to encourage the teen-agers to complain about shortcomings of the program. Their complaints, voiced through student councils, student newspapers, or talks with counselors, were taken seriously as a policymaking guide by the staff. "Our kids never had a say in making the rules before," the counselor said. "It was a new experience and they liked it."

But Dr. Kenneth Clark, who is noted for his study of the effects of racial segregation, told me: "Fifteen years of being told that they are poor and uneducable damages these kids. The psychological scars they carry are very deep." It was for this reason that he was skeptical about Upward Bound's chances of success. He said the program was "rather analogous to a summer romance—full of intense emotion, but you're lucky if you remember her name at the end of the summer."

To keep the fires going, Upward Bound will not be entirely inactive during the winter. Only the students at Columbia's Double Discovery program, however, are continuing to attend full-time special classes taught by the summer staff. Elsewhere, the "taste of honey" has been replaced by the familiar overcrowded classes and overburdened teachers. On paper, the winter schedule of Upward Bound is to include a number of contacts between the teen-agers and their college-student counselors. In practice, these contacts may be few. As one project director explained: "Staging a summer program on the campus was relatively easy because our teachers, counselors, and administrators were free from the pressure of the academic year, and the kids were housed on our campus. I'm not sure that during the winter we're going to have the time to travel to the various schools to meet with the students."

Despite the predictions of critics such as Dr. Clark, the Office of Economic Opportunity expects seventy-five per cent of last summer's students to return for campus work next summer. That is to be followed by a second winter of student-counselor contacts and a final summer's encampment. In 1969, many of the Upward Bound students now in the

tenth grade will graduate from high school and be ready for college.

But what is the likelihood that they actually will be stimulated to seek education beyond high school? The results of the 1965 pilot project at eighteen colleges have encouraged OEO to believe that the success could be striking. In a pamphlet designed to explain the program to parents, OEO said: "Out of a total of 2,061 students enrolled in the first experimental Upward Bound programs in the summer of 1965, 1,994 are now on their way out of poverty through education." A spokesman for Upward Bound said this meant that those students are either now in college (the pilot project had more twelfth-graders than the current program, which sought mainly sophomores and juniors) or have remained in high school and plan to attend college. At the ninety-seven per cent "success" rate of the pilot programs, more than nineteen thousand of the twenty thousand students now in the program would be truly upward bound, a figure that not even Dr. Frost takes seriously. "I will be satisfied if half the kids make it," he said. "That would be quite an improvement when you realize that today only eight per cent of the kids living in poverty go on after high school."

Whatever the percentage, those 1969 Upward Bound graduates who do decide to enter college will not find the doors wide open to them. Competition for admission will be stiffer than ever by then, when more than seven million students are expected to be enrolled. Only one school, the City University of New York, has officially promised to admit local Upward Bound graduates. While several other universities have made promises of favorable consideration, admissions officers still place a premium on youths from conventional college-preparatory backgrounds. President John S. Toll of Stony Brook put it to me this way: "We are under tremendous political pressure regarding admissions, particularly since we rejected state scholarship winners because we don't have room. There will be only a very few places for youngsters whose records are as poor as those of the students in Upward Bound. I'm sorry, but we won't be able to take too many chances." It seems quite possible that those faithful suitors who carry the romance with higher education through three summers may be rejected in the end.

Upward Bound has definite limitations. To many, its goal will always seem absurd. Others, like Dr. Clark, may consider the goal admirable but the methods inadequate. Congress, too, will have to be convinced. Upward Bound is a part of the Community Action Program, whose financial future is currently up for debate in a House made restive and unpredictable by the fast-approaching November elections.

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'The Wonderful World' Of Governor Rhodes

ABE S. ZAIDAN

When Governor James A. Rhodes revealed his plans last January to seek re-election this fall, reporters and other onlookers who keep a close watch on the career of Ohio's chief executive were not the least bit surprised that he had chosen to run for what appears to be a certain second term. It was only *how* he broke the news that they might not have anticipated.

First, the governor phoned the fifteen-year-old son of a Teamsters boss in Toledo to announce his candidacy. Next, his office released a perfunctory one-paragraph statement that made it official. Then he declined to talk to newsmen about it. It was pure Rhodesiana—the sort of thing that people have come to expect from the fifty-seven-year-old Republican governor since he swept into office in 1962 with the biggest majority ever amassed by an Ohio gubernatorial candidate.

But why the son of a Teamsters official? Well, according to the startled lad, he had written to the governor to inquire about his intentions. But it also might be noted that just a few weeks earlier, the Toledo local had been the first group to endorse the governor's re-election at a dinner honoring Rhodes.

The *Wall Street Journal,* after sending a man out to size up Rhodes, appraised him as "one of the nation's most unorthodox political figures." That he is. Probably no other politician is more of an enigma to his own party, more exasperating to his Democratic foes, more disliked by Goldwaterites, more simplistic in his approach to state government, more cocksure of the rightness of his administrative techniques—and more awkward in explicating the varieties of state responsibility.

Having arrived at the top of the state ladder after serving as mayor of Columbus and state auditor, he has taken pains to reshape the state Republican Party in his image while convincing the public that there is no better alternative to his kind of leadership. Welfare groups may protest low relief grants; union publications may denounce his cosseting of big business; civil-rights demonstrators may charge him with ignoring their rallies. Yet he manages to turn up with an occasional citation from an admiring NAACP chapter here and a local union there. One way or another he contrives to cover almost all bases. Soon after his election, he shrewdly named the publisher of a large Negro newspaper chain in Ohio to his cabinet as industrial-relations director and put a number of other Negroes on the state payroll. Such moves tend to blunt charges by angry civil-rights leaders that he ducked out of town the weekend of a protest march in Columbus. Although he is hardly one of organized labor's favorite politicians, Rhodes nevertheless is on good terms with building-trade unionists because of his campaign for construction projects around the state.

Dark Horse or Chameleon?

Partly because of his popularity at home and partly because of Ohio's big block of electoral votes (which went to Johnson in 1964 but to Nixon in 1960), Rhodes has been touted as a dark horse for the Republican national ticket in 1968. Barry Goldwater sees him as a "sleeper." But Rhodes repeatedly denies such ambitions. Each time he does, the talk dies down for a while, only to revive when off-season political speculators get together down at the press club.

For the moment at least, Rhodes seems content enough to maintain his image as an "Ohioan for Ohioans." At the Midwestern Governors' Conference in Cincinnati in late June, where he was named chairman, Rhodes chose the occasion to have his finance director announce a $28-million surplus in the state treasury—a gambit designed to show his out-of-state peers, as well as Ohio's citizens, how well things were going back at the Statehouse.

Later at the National Governors' Conference in Los Angeles, where interest in G.O.P. prospects quickened in the presence of Ronald Reagan and Governor George Romney, Rhodes kept himself in the background and let his finance director issue still another glowing statement on Ohio's finances. Indeed, Rhodes was one of two Republican governors who failed to show up at a Reagan breakfast, his aides explaining only that the governor had a tight schedule. (The other absentee was William Scranton of Pennsylvania, who was committed to a meeting arranged a month earlier.) The Ohio press corps later reported that Rhodes was on the golf course or was preoccupied with collaring industrial prospects for Ohio, or both. Reagan said he was "sorry Jim wasn't at the breakfast. He's done a lot of good things in Ohio."

When the conference ended, Rhodes had still given no hint about his preference for a 1968 G.O.P. Presidential nominee. Rhodes's custo-

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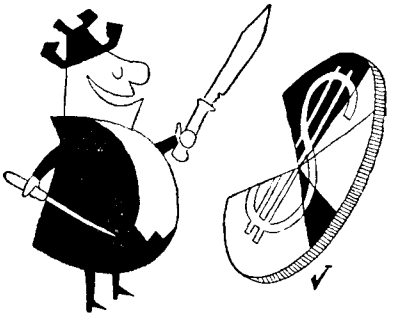
mary standoffishness toward national Republican affairs has marked him as a loner in his own political family—a position Republicans can ill afford to maintain in their unity drive against President Johnson. He turns down most invitations to appear at out-of-state party functions, preferring the image of a hard-working governor who is just trying to help his state become No. 1 in everything from tomato-juice production to state-fair attendance. (The estimated cost of this year's state-fair entertainers alone was upwards of $300,000—providing an extravaganza that Ohio's have-nots viewed somewhat more grimly than did the farmers for whose delectation it was staged.)

ANY ATTEMPT to place Rhodes ideologically in the political spectrum is fruitless: he abounds in contradictions. For those who see him as a political moderate it is sufficient to recall that it was Rhodes who, to the chagrin of Ray Bliss, then Ohio Republican chairman, freed the state's delgation to vote its conscience at the Republican national convention in 1964. Rhodes's unilateral action served to hand over the delegation to Goldwater even though Bliss had urged the governor to hold out as a favorite son. Others who see Rhodes as a conservative are troubled by the fact that once having delivered Ohio to Goldwater, he sidestepped every opportunity to be identified with the Arizona candidate during the campaign.

Although he has closely allied himself with big business in Ohio and is much given to preaching the free-enterprise doctrine, he seldom hesitates to avail himself of Federal aid. Just recently, he declared war on water pollution in Ohio and, having aroused public concern, insisted that the cost of pollution control was a Federal responsibility. Of the five states that got together to discuss pollution control of Lake Erie last summer, Ohio was the only one that had no program for financial aid to municipalities to combat pollution problems. But this did not discourage the state from publishing a booklet that boasted, "Ohio Takes Lead in Pollution Fight."

Rhodes's vision of his role as a political leader became clear the day he assumed office. The state's finances, he then declared, were on the verge of bankruptcy. He contended he had inherited an $83-million deficit from his predecessor (Michael V. DiSalle, a Democrat)—a claim open to doubt because the financial audit by a private firm was never made public.

Rhodes pledged austerity in government and vowed he would never increase taxes. To show he meant what he said, he refused carpeting for his office—a gesture that failed to impress critics who contend he doesn't spend much time in his office anyway. The chief function of state government, he seems to believe, is not very different from that of an employment agency. All of mankind's ills can be traced to unemployment—racism, neuroses, crime, and whatever. When Rhodes appears before a mental-health group that is clamoring for more state aid, he



recites statistics that show a correlation between mental illness and unemployment. His task as governor, he tells them, is to assure a "healthy economic climate" that will produce jobs for everyone.

No one can minimize his zeal. Most of the time Rhodes can be found at an "industrial appreciation" dinner in one Ohio town or another, patting the local merchants on the back and urging the chamber of commerce to go out and find more business. At one point, he rounded up some sixty Ohio businessmen and took them off to Europe to ballyhoo the state's export business. Once abroad, he followed his instincts to Rome to visit the Pope, then went on to Israel in a typical exhibition of political equipoise.

The governor's Department of Development has opened offices in Washington and New York, and he repeatedly has dispatched teams of state officials and businessmen—they're called "Rhodes's Raiders"—to other states to drum up trade. To encourage tourism in the state, he has led newsmen on tours of Ohio's historical sites and state parks. He has ice-fished on Lake Erie with shivering reporters in an effort to make his point that sports fishing is a $20-million business.

This sort of thing may enhance the image of a state-on-the-go under a governor-on-the-go, but Rhodes's critics charge that he is making a lark of the governorship, doing what he likes to do most while the big problems pile up on his desk. Rhodes attempts to refute such criticism by describing his role primarily as that of a salesman.

A Policy of Silence

Rhodes has never been much good in direct confrontation with his critics. One of his first moves after taking office was to eliminate the regularly scheduled news conference, an institution under his predecessor. After a few press sessions, which turned out to be highly unsatisfactory for reporters seeking fresh copy, Rhodes resorted to canned press releases. The few press conferences he has held in the past three years have been staged on his terms and have usually served to flatter his administration. But Rhodes replies that he is always accessible to the press. Such sessions, however, are on a private-consultation basis and lack the hazards of spontaneity in a large gathering. His awkwardness in parrying incisive or hostile questions could be devastating if he should try for national office and be subjected to the probing of the national press corps.

Rhodes seems to sense his deficiencies as a polemicist and has scrupulously followed his prepared script for public utterances. When in doubt, he says little or nothing, particularly on sensitive issues that could drag him into controversy. What, for instance, are his private convictions about capital punishment, a topic that former Governor DiSalle fashioned into a personal crusade? Rhodes replies only that so long as the death penalty is sanc-

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tioned by Ohio law, he will abide by it. Did he plan to ask for the resignation of one of his appointees to the Ohio State University Board of Trustees who had been suspended from law practice by the Ohio Supreme Court for violation of professional ethics? The governor insisted he couldn't comment because the case was being appealed to the U.S. Supreme Court. (The high court refused to hear the appeal, the trustee resigned, and the case passed quietly into history with Rhodes unscathed.)

Consider, too, the race riots that ripped Cleveland's Hough section last summer. After sending in the National Guard on Mayor Ralph Locher's request, Rhodes was discreetly unavailable for comment. The governor's indispensable administrative assistant, John McElroy—an able factotum who keeps the executive machinery whirring at the Statehouse while the governor bounds around the state—explained Rhodes's silence by averring that "Any statement by the governor regarding the riots would automatically supersede the role of the city." Cynics noted, however, that the governor did not hesitate to show up in Ohio communities at times of natural disasters, such as floods.

It was in Hough that the welfare march from Cleveland to Columbus originated last June to protest substandard state relief grants. Rhodes refused to accede to the marchers' request for a special legislative session to free additional welfare funds, but the state Welfare Department has said it will seek more money from the 1967 General Assembly to cover higher grants.

The official state reaction to the welfare march and the riots, as voiced by McElroy, is to construe them as two unrelated events. "To do otherwise," said McElroy, "would be to construct a connection that isn't there."

Later in the summer, when rioting erupted in Dayton, Rhodes was at the state fair, where he had to be contacted by an aide before guardsmen could be called in.

ALTHOUGH Rhodes has tried hard to create an image of an economic paradise in Ohio, his critics are hammering away at the darker side of the picture. Thus, while Ohio has gained more than three hundred thousand jobs under the Rhodes administration, it still has one of the largest groups of welfare recipients in the nation. Besides, it can be argued that Ohio has merely shared a booming national economy—and it could also share a recession.

Perhaps even more informative is the plight of state services. Ohio is the sixth wealthiest state in the Union. Yet it ranks near the bottom on what it spends for mental health, and its facilities for mental treatment are rated among the nation's poorest. The Columbus *Citizen-Journal,* a newspaper that only last January acclaimed Rhodes as the man of the year, recently itemized some less flattering facts: Ohio ranks forty-third in state support for public education, forty-fifth in per capita state funds for higher education (Ohio's students pay more tuition at state universities than students in any other state), fiftieth in state support for child-welfare services (indeed, the state government contributes nothing for child welfare), thirtieth in family relief allowance, and forty-eighth in per capita state funds for aid to the handicapped.

Characteristically, Rhodes largely ignores such criticism, trumpeting instead a long list of capital-improvement expenditures made possible by three bond issues under his administration totaling $1.4 billion. Even this is vulnerable in the long run because, while Ohio may be spending, for example, $320 million on college-building construction, not a single cent is available for staffing those buildings, nor is there any certainty about where such funds will come from.

Rhodes's penchant for floating bonds instead of seeking new taxes has been the topic of more than one hot discussion among state economists, some of whom claim that without tax reform in Ohio the state treasury is headed for a day of reckoning. As early as 1962, a thorough study of the state's tax system, sponsored by the Ohio AFL-CIO, Ohio Education Association, Ohio State Council of Retail Merchants, and Ohio Farm Bureau Federation, warned that the state was living on borrowed time with an antiquated tax structure. Last May the *Wall Street Journal* pointed out that although Ohio has a three per cent sales tax, it is "porous with exemptions," while Indiana, with a two per cent sales tax, raises more revenue per capita.

What exasperates Rhodes's critics is that they are unable to establish a dialogue with him. No matter how they approach critical state problems, he parries their thrusts with his "Look, I'm simply trying to find everybody a job" theme. The trouble with this line is that it doesn't account for the many thousands of Ohioans—the aged, the disabled, the mentally ill, the children of problem families—who can't work but need help.

The Democrats' Predicament

That Rhodes has built such a huge following with so simple a formula must be viewed in the light of two other factors: Ohio's intrinsic conservatism, flavored with ruralistic self-reliance as the solution to man's worst social ills; and a fragmented state Democratic Party, which former Governor DiSalle once described as a "loose confederation of local organizations."

The Ohio Democrats, with a new party chairman and a strikingly handsome young Toledo lawyer—Frazier Reams, Jr.—running against Rhodes this year, show new signs of life. Reams, a state senator with a liberal voting record who is portrayed as being "in the Kennedy image," is wooing the support of statewide interest groups who grumble that they have been shortchanged by the Rhodes administration. He has been working to develop a strong Democratic-labor coalition, which has subsisted on nothing more than a nominal relationship in the past.

Reams, however, is confronted with a fundamental predicament. To pay for the many lagging state services, he must necessarily call for new taxes, which isn't the easiest way to win votes from the great mass of Ohioans. At best, it's a precarious political road for Reams in "The Wonderful World of Ohio," where, as Rhodes's slogans remind us, "there are no new or increased taxes" and where "profit is not a dirty word." In fact, most people believe Reams will be sidetracked.

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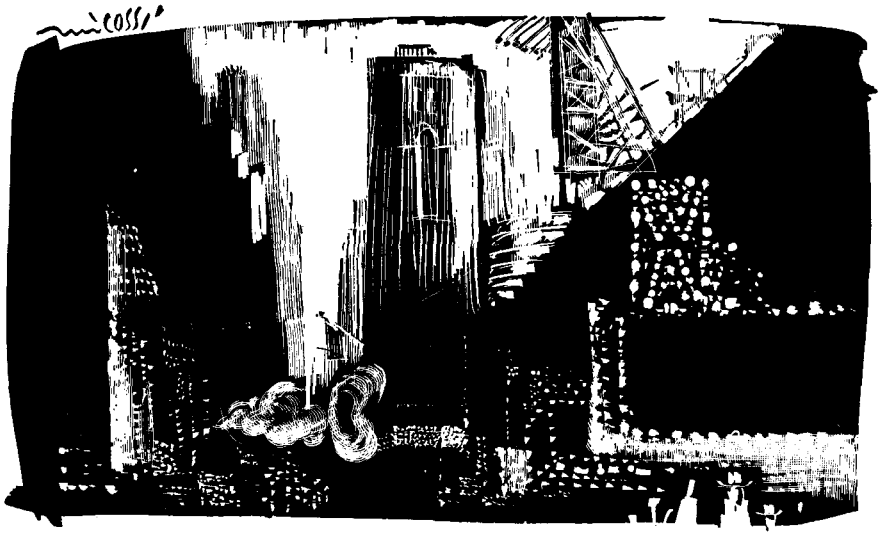

Blackstone On Gutbucket

JAMES D. ZIRIN

SOMEWHERE on the streets of Manhattan you may find two Negroes, William Brown and Charles Bandy, who between them have been arrested for disorderly conduct some fifty-five times. Disorderly conduct in New York is neither a felony nor a misdemeanor but merely an offense. If Brown and Bandy commit the offense of Dis-Con, they do it with music. Brown strums a gutbucket—a sort of homemade bass fiddle consisting of a washtub, a broomstick, and a piece of string—and sings. Bandy lends a beat by brushing a half-gallon upside-down chili pail. The pair like to play Broadway at curbside, finding the side streets too quiet. They rarely sing freedom songs nor do they solicit for political causes. Their specialty is "When My Dreamboat Comes Home," and they can do a stirring "Sweet Georgia Brown."

Brown and Bandy have a good act. Brown explains that they play "mostly box offices" (with his hat on the ground) and "just a few benefits" (with his hat on his head). But Brown and Bandy, like some other Broadway shows, have enjoyed undeservedly short runs. "When the cops come," says Brown, "our lease expires." And they have come often.

To a pair of pros like Brown and Bandy, encounters with the law are just a business hazard. Many policemen simply order them on and they dutifully obey. Sometimes they receive a "ticket" carrying a two-dollar fine. This they pay as part of the overhead. But the real threat is a Dis-Con charge. The disorderly-conduct statute in New York carries a six-month maximum sentence, and prior convictions incline the judge toward severity. Of course, sometimes a Dis-Con conviction brings only a fine. Once a judge fined the pair five dollars, then made them play a box office in the courtroom, threw five dollars in Brown's old derby, and exited Solomon-like, certain that he had done justice. Often the fine is too steep to pay and Brown and Bandy "retire" for a thirty-day rest in the workhouse. Still more frequently, with the instant justice meted for minor offenses in New York's crowded courts nowadays, Brown and Bandy are jailed.

One day last fall the New York Civil Liberties Union took an interest in the cause of Brown and Bandy—not so much as a human problem but as a legal and philosophical one. "The Disorderly Conduct statute thrusts a dull conformity upon the City," complained Alan H. Levine, a Civil Liberties Union staff counsel who represented Brown at the time. The Dis-Con statute, Levine insists, is unconstitutionally vague, and violates the Due Process clause in providing for interpretation by the moment-to-moment opinions of a policeman on his beat. Levine cites in support of his Constitutional argument the *Shuttlesworth* decision handed down by the Supreme Court last November. In *Shuttlesworth,* in the context of stand-in demonstrations in Birmingham, the court made clear the unconstitutionality of a Dis-Con statute providing in effect that "a person can stand on a public sidewalk in Birmingham only at the whim of any police officer of the city." To this the court added: "Instinct with its ever present potential for arbitrarily suppressing First Amendment liberties, that kind of law bears the hallmark of a police state."

In *Shuttlesworth,* the court noted that the Alabama courts had engrafted upon their Dis-Con statute a limitation in its application to instances where the defendants obstructed the free passage of pedestrians. Accordingly, the court said the Alabama statute is not Constitutionally invalid on its face, "though it requires no great feat of imagination to envisage situations in which such an ordinance might be unconstitutionally applied." In New York, according to the Civil Liberties Union, there is no such limitation on the Dis-Con statute. Therefore, it is argued, unless the arresting officer could prove beyond a reasonable doubt that the gutbucket duo obstructed passage, to convict them would be unconstitutional.

ARMED with this opinion of counsel and a packet of cards (to be passed out to witnesses) inscribed "Call Mr. Levine at WA 9-6076," the musicians resumed their curbside bandstand. The action was not long in coming. On January 16, at 3 P.M., Brown and Bandy were arrested on Fifty-sixth Street and Seventh Avenue. Again on February 4, at about 5 P.M., Brown and Bandy

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were arrested on the northbound platform of the IND subway station at Fiftieth Street and Sixth Avenue. The charge both times was Dis-Con, carrying potential jail sentences totaling a whole year "just for making people happy," as Brown put it. Trial dates were set in March and April. Appearances for the defense were entered by the Civil Liberties Union.

For a change, the Civil Liberties Union had two clients devoid of political stigma. These were not the Communists, draft-card burners, or neo-Nazis whose rights the CLU has intermittently defended. They represented a new kind of Constitutional test case—the right of the individual to be eccentric, to deviate from the societal norm. Rooted in the CLU belief in the cause of Brown and Bandy is abhorrence of the concept of citizens compelled to venture out only with a prearranged and officially approved destination. The musicians became the culture heroes of the organization. When Mrs. Helen Lehman Buttenwieser, wife of an investment banker, niece of the late Senator Herbert H. Lehman, and a power in the Civil Liberties Union, gave a party in her East Side apartment several months ago for her CLU friends, the music was supplied by Brown and a colleague. There they belted out "Yes Sir, That's My Baby" and other pop classics as the guests nibbled caviar and discussed obscenity and the law, draft-card burning, and the war in Vietnam.

BROWN and Bandy stood trial on March 25 before Criminal Court Judge Amos S. Basel. The complaining witness was a Patrolman O'Reilly who testified that at 3 P.M. on January 16 he observed Brown at the Broadway curbside strumming a gutbucket beside Bandy brushing in time on a chili pail. On the ground the patrolman saw a battered derby hat in which there were some coins. He ordered the pair to move on. They refused. He made his arrest.

The CLU defense counsel chose not to cross-examine O'Reilly. Straightway, he moved to dismiss the complaint for failure to state a prima facie case. He pointed out to the court that the offense of disorderly conduct consists of two elements: breach of the peace and a specific overt act. He placed breach of the peace in its common-law context, citing numerous cases. He read to the judge adjectives used by the courts to describe conduct breaching the peace: violent, shocking, agitated, abusive, profane, boisterous, and causing consternation and alarm. Surely none of these, he said, described the conduct of Brown and Bandy. The young prosecutor rose to say, "Your Honor, as an officer of the court I can only agree with everything defense counsel has said," and Judge Basel dismissed the complaint.

The next trial a few weeks later was no less curious. Presiding this

time was Judge Frederick L. Strong. The complaining witness was a Patrolman Edwards of the transit police. Edwards told the story slowly and deliberately—how he was on his post on the mezzanine floor of the Fiftieth Street subway station, how several unidentified females complained about two musicians "emitting loud noises" on the platform, how he went to the scene, where he observed Brown on the gutbucket and Bandy on the pail, how a crowd had collected around them, and how Brown and Bandy were blocking the right of way of pedestrians.

"Move on," the patrolman commanded.

"But we won our case in court," protested Brown.

Edwards made his arrest.

On cross-examination Patrolman Edwards admitted that the station was noisy and that a gutbucket could scarcely be heard above the din of the trains. The motion to dismiss was long and florid. The Civil Liberties Union counsel began by adverting to the Constitutional requirement of an obstruction. Cases were cited holding that the mere testimony of an arresting officer that the right of way of pedestrians was blocked was insufficient as a matter of law to constitute an obstruction. Did Brown and Bandy cause a *crowd* to collect? The word "crowd," according to the cases, is at best indefinite. "Difference in time and place may shape its meaning. A crowd at midnight might not be a crowd at noon. A crowd in a country schoolhouse might not be a crowd in Washington Square." In short, "No violence occurred and none was threatened. . . . There were spectators, to be sure, for there was curiosity to be satisfied as was natural. But there was no 'assemblage.'"

In Europe, counsel added, one sees street musicians everywhere. In our free society, where jazz rhythms are so much a part of our contemporary culture, it is permissible, even desirable, that street musicians enjoy the liberty to play. To hold otherwise is to invite the tyranny feared by Blackstone of subjecting "all freedom of statement to the prejudices of one man, and make him the arbitrary and infallible judge of all controverted points in learning, religion, and government."

Judge Strong dismissed the complaint on the issue of reasonable doubt.

BLACKSTONE, the great commentator on the English common law, had said that the only solid foundations of civil liberty are "peace and good order . . . government and religion." The Civil Liberties Union may well agree with the principle, but it apparently disagrees with its application. The search for *ordered* liberty is a quest for the most delicate and subtle of balances. Just where eccentricity ends and conduct which shocks, abuses, or causes consternation or alarm begins is the most elusive of boundaries. In gauging whether police regulation of Brown and Bandy's conduct passes muster under the Fifth and Fourteenth Amendments, the judge's own instinct sets the essential legal test.

But at last there is freedom today for the gutbucket on the streets of New York. And if you were in New York last week not far from Times Square, perhaps you saw Brown and Bandy at the curbside singing "If You Knew Susie." Nearby stood a policeman, and some say he shook his head to the beat.

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In the Land Of Promise

ALFRED WERNER

When I first came to New York in 1940, the most beautiful building in the city to me was the one owned by the Hebrew Sheltering and Immigrant Aid Society at 425 Lafayette Street: inside was a place to sleep and the meager food that stood between me and actual starvation. Behind me was Dachau, and here only a block away was the kind of Jewish life the Nazis were about to destroy in Eastern Europe. In 1940, Second Avenue still sustained several Yiddish theatres and Maurice Schwartz was the apogee of the drama for thousands for whom "Broadway" was merely a busy thoroughfare. I could sit in the famous Café Royal, the gathering place of Yiddish actors, journalists, poets, and particularly "characters" with unruly beards and even more unruly minds. To an outsider like myself, the Lower East Side seemed a vigorous, autonomous, as well as autarchical, Jewish community that might well outlast Hitler. Insiders, however, knew that this friendly and by 1940 no longer poverty-stricken "Ghetto" was doomed. Its residents were mostly Russian-born and past fifty; their children had moved to West End Avenue and even to the suburbs. In a decade or so, Spanish, spoken with a Puerto Rican accent, would replace almost completely the guttural sound of Yiddish.

The exhibition "The Lower East Side: Portal to American Life," currently showing at the Jewish Museum, serves to illustrate the history and the earlier spirit of that section of New York between Fourteenth Street and the Brooklyn Bridge, now little more than a collection of drab, often dilapidated buildings, dotted with a few gastronomic oases such as Ratner's or Rapoport's. Though Jews had lived in the area before then, the exhibit begins with 1870, the year that the first Yiddish newspaper made its appearance in this region; and though the Ghetto is not entirely dead even today, the exhibit does not go beyond 1924. For it was then that the reactionary quota law —welcomed by a curious alliance between bigots of the old Yankee stock and the very organized labor in which Jews played a considerable role—virtually closed the door to further immigration from Southern and Eastern Europe.

Here is the story of a settlement that at its height before the First World War numbered perhaps as many as a million Yiddish-speaking individuals. (The "German" Jews occupied better quarters, further uptown.) To make this "World of Yesterday" come alive for those who have never heard of Maurice Schwartz and his Yiddish Art Theatre or the Educational Alliance on East Broadway, Allon Schoener, director of the exhibition, has assembled scores of old photographs, of drawings, paintings, movie stills, and a variety of other documents. He has not tried to glamorize the Lower East Side, or to deny that it was deplorably unsanitary in parts. The photographs, in particular, reveal a "paradise" where many people lived in hallways or in cellars, in rooms that had neither windows nor electric light. These pictures—and the readings in the catalogue—show the Ghetto dwellers working in sweatshops that make the worst factories of 1966 seem delightfully healthful and luxurious. Jewish entrepreneurs mercilessly exploited those who came steerage across the Atlantic only a few years after their own arrival. Jewish workers organized strikes against Jewish bosses, and Union Square, today relatively quiet and peaceful, often rang with the shouts (in Yiddish) of angry demonstrators.

Changes for the better were brought about, however, less by the efforts of the harassed employees of the garment trades than by the tragedy of the Triangle Fire of 1911, in which 146 women employed by the Triangle Shirtwaist Company were trapped and killed when flames gutted the upper three floors of the building at the corner of Washington Place and Greene Street. The fire drew public attention at last to the terrible conditions that bred the heroism often displayed by the early labor organizers. (The same conditions bred vice and crime as well, but there is no mention at the museum of Jewish gangsterism on the Lower East Side.)

I came too late to know what that generation lived through and sat spellbound in the Jewish Museum as I watched an old newsreel showing the arrival of those earlier immigrants. Compared to the starving greenhorns who could only march quickly from the dock to the labor exchange on Essex Street (known as the Pig Market), wartime refugees were treated royally by well-organized agencies staffed with social workers who went out of their way to find jobs suited to chamber musicians or writers of sonnets.

Some of the photographs in the exhibition are blown up to enormous dimensions so that they cover entire walls. In them one sees the immigrants on board ship and in cubicles on Ellis Island; one sees strikers, street peddlers, pushcart vendors, women at sewing machines, slum children making artificial flowers or playing card games on the stoop of a tenement house. There are also photos—but not enough of them—of people at worship. (Each little synagogue is shown on a map, but no façades or interiors can be seen, perhaps because no photographic records of the *shuls* were kept.) Most of the photographers are unknown, but one is a celebrity, for whom the city has named a park and a public housing project: Jacob August Riis, who died half a century ago, did more than any other man to draw attention to the big-city ghettos, and to give New York settlement houses, public parks, and playgrounds.

The work of another fighting journalist of the period has been resuscitated—Hutchins Hapgood's *The Spirit of the Ghetto*. In the show's catalogue, which reprints selections from literary documents

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of the period, are a few of his paragraphs on the once flourishing Yiddish theatre. "In the midst of the frivolous Bowery," Hapgood writes, "the theatres of the chosen people alone present the serious as well as the trivial interests of an entire community. . . . The socialists and the literati create the demand that forces into the mass of vaudeville, light opera, historical and melodramatic plays a more serious art element, a simple transcript from life or the theatric presentation of a Ghetto problem. But this more serious element is so saturated with the simple manners, humor and pathos of the life of the poor Jew, that it is seldom above the heartfelt understanding of the crowd."

To bring the glory of the Yiddish theatre to life again, Allon Schoener has found posters, playbills, and other associated memorabilia. He has even gone so far as to project pictures of the actors in certain performances with co-ordinated tapes of their voices. (This, by the way, is the noisiest exhibition ever staged: on a sound film one can hear excerpts of Bintel Briefs, the "agony column" of the *Jewish Daily Forward,* read by Zero Mostel; a taped interview with actress Stella Adler; and even recordings of actual sounds from the Lower East Side, to "create a sense of identification with the environment," as one museum release explains.)

If it is impossible to conjure up visually and auditorially all the romance (and occasional silliness) of the world of Boris Tomashefsky, Jacob P. Adler (father of Stella), and other lions of the Yiddish stage, fortunately there is no obstacle to a faithful reconstruction of the influence the East Side exerted on art. Works by twenty artists are hung in one of the museum's largest galleries. The majority are by non-Jews, and some of these were not really interested in the purely human side of the story: Childe Hassam, a Massachusetts-born Yankee, painted "Union Square in Spring" with the cool objectivity of the Impressionist fellow traveler that he was. George Bellows, however, in "Cliff Dwellers" depicts a squalid slum, crowded with wretched humanity that might have come straight out of Dickens's early novels. Through "McSorley's Back Room," John Sloan shows us that the Lower East Side was not completely the domain of the Jews. For McSorley's alehouse on East Seventh Street, near Cooper Union, a venerable tavern with sawdust on the floor and sporting or theatrical prints on the walls, was patronized exclusively by the Irish. The unjustly forgotten Jerome Myers, with "Italian Procession" and "The Night Mission," reveals other corners of this world that were occupied by Gentiles only.

The Lower East Side Jews fascinated many non-Jewish painters, not because they were philo-Semitic or because they sympathized with the

immigrants' sorry lot but because the Jews were a colorful people. George Luks sketched the bearded patriarchs in top hats, the little shops, the gangs of children, with the bravura of one who, asked about his technique, shouted, "Guts! Guts! Life! That's my technique." Luks, along with William Glackens, Maurice Prendergast, and John Sloan, belonged to what critics disdainfully called the Ashcan School. While the members of this school shocked the academicians with their substitution of "truth" for "beauty," of "life" for "art," of the "real" for the "artificial," they were not revolutionaries in a political sense. It is astonishing that not a single picture in this show reveals leftist anger. But after all, the pictures lead us only up to 1922, before the Depression forced a distinct militancy on all artists and led many to produce paintings of muscular workers in defiant poses.

Although the Jewish-born artists of the period were not filled with revolutionary violence either (William Gropper, who is in the show, became a caricaturist of capitalists and politicians only several years later), they were not mere spectators. They had suffered with their elders in the unbearable heat of the summer and the cold of the winter; they had helped their families by earning a few badly needed extra dollars; they had been in street brawls with boys from other neighborhoods. I could not describe the special qualities that somehow distinguished their work from that of the Gentile observers without using the Yiddish term "Rachmones." Max Weber's canvas "Sabbath" and Abraham Walkowitz's pen-and-ink drawing "East Side Figures," emanate a strong feeling of pity, tinged by self-pity, that only a fellow sufferer could evoke.

Jacob Epstein, Moses Soyer, Gropper, Walkowitz, and Weber would be different artists if they had not spent their early years on the Lower East Side. The greatest of these is, of course, Epstein, whom Hutchins Hapgood discovered when he was only twenty and commissioned to make drawings for *The Spirit of the Ghetto.* In a sense, Epstein disappointed his patron: he failed to become the Rembrandt of the Ghetto and turned sculptor in England. The East Side drawings made in his youth have disappeared, except for one owned and now exhibited by the museum. (Van Gogh would have liked this drawing of a humble crowd, in the foreground an old man carrying a sack.) As a man of sixty, a British subject, and a world celebrity, Epstein recalled the Ghetto in writing his autobiography. Its first ten pages are a more poetic introduction to this exhibition than any curator could possibly write. For Epstein was born on Hester Street in 1880 and he remembered it all: the Yiddish clubs, the fire escapes and roofs on which people slept in the summer, the belligerent Irish boys, the Passover

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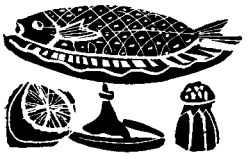
holidays with their picturesque ceremonies, the actor Adler and his fans, and many more things. He concluded thoughtfully:

"The earnestness and simplicity of the old Polish Jewish manner of living has much beauty in it, and an artist could make it the theme of very fine works. This life is fast disappearing on contact with American habits, and it is a pity that there is no Rembrandt of today to draw his inspiration from it before it is too late."

In 1940, when this book, *Let There Be Sculpture,* appeared, it was almost too late, though there were still good artists who did not feel that by lovingly embracing this world and rendering its faces on canvas they would reduce themselves to mere illustrators or reporters. But by 1945, or 1950 at the latest, nearly all the glamor—the excitement of café conversations, the melodrama of the old-fashioned Yiddish stage, the fervor of little *shuls*—had disappeared, and what remained was the desolation and the dirt.

Yet "The Lower East Side" does not induce us to indulge in mourning. After all, the children, and particularly the grandchildren, of the original dwellers are better housed, better fed, better dressed, better educated, and, in the last analysis, happier than those men and women who had to spend so much of their energy, their intelligence, their superior feelings on the humdrum job of earning a living. The Ghetto was a place of suffering, of heroism, rather than one of joy and beauty. Still, as Mr. Schoener put it, "There is pride that so much came out of it. The older generation has nostalgia; the young generations acknowledge their Lower East Side heritage with varying degrees of enthusiasm. Like so much of Jewish history, no roots with enduring continuity were planted. The reality of the Lower East Side is the memory."



RECORDS

The Low-Price Revolution

ROLAND GELATT

WITHIN the space of a few weeks this fall, about a hundred low-price recordings of classical music flooded onto the market—the majority of them from three new labels. Many more are on the way. Suddenly everybody in the business is rushing to put out $2.50 discs.

As usual, the record industry is playing follow-the-leader—the leader in this case being Nonesuch, a small firm exercising a great influence on the creation and pricing of classical records. This company did not invent low-price discs, but it succeeded in giving them a certain sophistication. When the Nonesuch label arrived on the scene about two years ago, most of the so-called "budget lines" seemed to belong in the bargain basement. In looks at least, if not in content, they were obviously poor relations of the quality folk upstairs. Nonesuch booted this concept out the window. From the start, everything about its records was first-class except the price. Moreover, a new note was introduced into the merchandising of music. The conspicuous avoidance of romantic warhorses in the Nonesuch catalogue and the urbane, colorfully kooky artwork on its jackets combined to give the line an unmistakable style. Vivaldi was made to look vivacious and Bach to seem positively bouncy.

The formula reaped immediate rewards. Nonesuch was soon outselling its drab competition and finding a fresh market for classical records. The baroque-rococo repertoire and tastefully modern graphics appealed directly to the swinging set—college students and newly married couples eager for musical entertainment of somewhat nonconformist flavor. These new customers began to acquire records as avidly and casually as they patronized the movies or the paperback book racks. And why not? At $2.50 a record (less at discount houses) they were not making a lifetime investment. To bring home a concert of music on records was practically as cheap, and certainly as stimulating, as attending the local symphony.

Having discovered an untapped market, Nonesuch is now having to share it with some powerful contenders. This fall three new labels have entered the low-price lists: Crossroads, a product of Epic Records, which is itself part of the huge CBS complex; World Series, a tributary of the international Philips group; and Seraphim, an offshoot of Angel Records.

CROSSROADS derives its material entirely from Supraphon, the state-owned producer of records in Czechoslovakia. Everything is available in either mono or stereo, and everything in the first release of twenty albums is newly recorded. The Czechs have a long tradition of making good records and a far longer one of making good music. Prague, indeed, probably enjoys more music per capita than any other city in the world. This has been so for at least two hundred years (its citizens, to their eternal credit, gave Mozart an enthusiastic hearing when the Viennese ignored him), and Crossroads thus has a marvelous reservoir of musical culture on which to draw.

The Smetana Quartet, one of the best in the world, is a pertinent example. Together with pianist Jan Panenka and an amazingly delicate contrabassist named Frantisek Posta, they give an outstanding performance of Schubert's *Trout* Quintet, in a gentler, less highly charged style than is currently fashionable on this side of the Atlantic. The same pianist collaborates with Josef Suk, violin, and Josef Chucro, cello, in an incisive yet never harsh reading of Beethoven's *Archduke* Trio—as fine a version of this music as exists on records, at any price. Suk, a great-grandson of Dvorák, is the excellent

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soloist in the two Bach violin concertos, and on another disc he joins a dusky-toned violist, Milan Skampa, and the celebrated Czech Philharmonic under Kurt Redel in a beautifully proportioned interpretation of Mozart's moonlit *Sinfonia Concertante*—though here the recording acoustics are too bright and prominent for my taste. Brahmsians will welcome the two cello sonatas played with appropriately ruminative skill by André Navarra and Alfred Holecek, as well as the *Liebeslieder* Waltzes by the expert Prague Madrigal Singers.

Crossroads' first release also has a good representation of Czech fare, including the well-known orchestral cycle *Ma Vlast* by Smetana, the little-known string quartets by Janácek, and the all but forgotten pieces for trumpets, organ, and strings by the all but unpronounceable Josef Vejvanovsky, a typically baroque confectioner of brassy trifles. In each case the performances are in the *ne plus ultra* category.

World Series, like Crossroads, carries a $2.50 price tag, but with one significant difference: instead of separate mono and stereo pressings of each recording, the Philips line has one "compatible" disc to serve for both. My ears detected no compromise whatever in stereo separation or over-all quality, and the Philips engineers claim that these records can be played by mono pickups without any damage to the grooves. If so, the double-duty concept will undoubtedly be espoused by other companies as well.

Although its headquarters are in Holland, the Philips record empire has active outposts throughout Europe. Some excellent albums in the initial World Series salvo come from the French branch. One of these is an exhilarating collection of *Concertos Comiques* by the eighteenth-century Michel Corrette—bright, zesty pieces for chamber orchestra, with plenty of crisp solo work for flute and oboe. Another is devoted to four suites by that genial and prolific contemporary of Bach's, Georg Philipp Telemann. The Antiqua Musica Orchestra under Jacques Roussel takes charge of Corrette, while Telemann is in the hands of the municipally supported Rouen Chamber Orchestra under Albert Beaucamp. Both ensembles are made up of young musicians whose polished performances speak well for the current school of French instrumentalists.

Also from Rouen comes a collection of Bach chorale preludes, recorded in the Eglise Saint-Ouen by Marcel Dupré. Baroque purists should take note that the Cavaillé-Coll organ in Saint-Ouen is not one of those reedy, tracker-action jobs from the eighteenth century. On the contrary, this is a rich instrument from the late nineteenth century, which the octogenarian Dupré plays with suitably rich registrations. The sounds may not be exactly what Bach had in mind, but I confess I found them exceedingly beautiful, and the recording captures all the mysterious grandeur of low-pitched pipes in a resonant ambience. Another superb record made "on location" is a collection of Gregorian chant as performed on Easter Sunday by the Benedictine monks of Clervaux in Luxembourg. It is particularly recommended to listeners who think they will be bored by the supposed austerity of Gregorian chant. The monks and ancient bells of Clervaux (which ring out jubilantly in the closing Te Deum) are certain to prevail.

Listeners partial to piano literature will find some choice pickings in World Series: the complete Ravel piano music on two discs performed by Gieseking's pupil Werner Haas, but fortunately with a more sharply contoured attack than in the master's own recording; Beethoven's Sonatas Op. 31, Nos. 2 and 3, in typically understated readings by the late Clara Haskil; a Liszt miscellany from György Cziffra; and Tchaikovsky's Piano Concerto No. 2 (the *un*fashionable one, as Lady Bracknell would say), played by Nikita Magaloff and the London Symphony under Colin Davis.

Seraphim, the last of the new low-price labels, differs from Crossroads and World Series in that it bears no resemblance to the Nonesuch series (except in price). Its jackets are sober in design, with emphasis focused sharply on the performers—and for good reason, since the artists include some of the most celebrated conductors, instrumentalists, and singers of the last half century. Like the Angel catalogue to which it is allied, Seraphim derives its material from the British-based E.M.I. combine. A few of the recordings are old (Strauss's *Alpine* Symphony conducted by the composer dates back to 1941), most are fairly recent, some are brand new. Where stereo master tapes exist, the recording is issued in both mono and stereo versions, but Seraphim's engineers have wisely declined to make artificial stereo pressings out of monophonic originals.

Most of the twenty albums in Seraphim's first release are so well known as to make comment unnecessary. What is there to say of the Beecham version of *La Bohème* (with De los Angeles, Bjoerling, and Merrill) except to utter hosannas for the fact that this unsurpassed recording can now be purchased for five dollars? And what further praise can be heaped on the Furtwängler-Flagstad performance of the Immolation Scene from *Götterdämmerung*, on Dinu Lipatti's Chopin E minor or Dame Myra Hess's Schumann A minor, on Schwarzkopf's *Exsultate, jubilate* and Cantelli's *Italian* Symphony? Among the somewhat less familiar recent items, all available in stereo, mention should be made of a complete *Elisir d'Amore* under Tullio Serafin's lithe direction (Seraphim opera albums, incidentally, come with librettos), a collection of Verdi arias sung in Italian by Fischer-Dieskau, and a never before released performance of Sibelius's *Tapiola* by Beecham and the Royal Philharmonic.

For a collector like myself who used to pay more than $2.50 in prewar money for breakable, eight-minute shellacs of Schnabel and Landowska, the existence of these fantastically cheap LPs seems almost indecent. No young person today can possibly understand the luxury status that records once enjoyed, and I suspect that some of the fun has gone out of collecting them as a result. Recordings are no longer treasured and worshiped in the old way. The low-price revolution in merchandising music has knocked the record off its pedestal—but on the whole I find more good in this than bad.

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BOOKS

George Orwell And His Critics

RICHARD MAYNE

THE CRYSTAL SPIRIT: A STUDY OF GEORGE ORWELL, by George Woodcock. *Little, Brown. $6.95.*

We are now halfway to 1984. True, George Orwell's nightmare cautionary tale was published in 1949; but he wrote much of it during 1948, reversing that year's last two digits to set it in the remote but not too distant future, then thirty-six years ahead. Today, eighteen of them already lie behind us, so it may be a suitable time to look at Orwell again.

The picture of him that probably comes to mind is one from the covers of his books—what George Woodcock, in this new study, calls "a rather frayed sahib," with an anxious, quizzical expression that belies the clipped military mustache. His eyes look pale and bleak in their brightness; deep lines give his mouth a "brave" smile; his hair, cut short at the sides, springs in two untidy crests from the top of his head. He might be cast as the typical misfit—the clever child of genteel, impoverished parents, miserably unhappy at his fashionable prep school; the Old Etonian going to live in the slums; the former Imperial policeman who loathed imperialism; the humanitarian Socialist nostalgic for Edwardian England; the fighter against Franco, nearly killed by a bullet in the neck, who found that his worst enemies were the Communists, his nominal allies; the author of *Animal Farm* who still felt that "every book is a failure"; the sufferer from tuberculosis who settled on a rain-swept island in the Hebrides, and died in 1950 when he was only forty-six.

But if George Orwell was a misfit, there are times when an honest man could be nothing else. And the voice that still speaks to us from Orwell's writings is essentially the voice of honesty. The Victorians, whom he admired, might have called it "manly"; "democratic" describes it too. Confident, blunt, and direct, it treats the reader as an equal, without ambiguity or allusiveness. "You and I know that much of what's written is humbug," it seems to say. "Now let's be candid, however much it hurts." In the literary climate of the English 1940's, when Orwell first became famous, this was an invigorating contrast to the pyrotechnical poetry, teacup tempests, and mushroom reputations that flourished while many writers were away at the war. It seemed only fair to forgive Orwell his occasional wild sideswipes, the exaggerations of a forthright man who was all the easier to criticize because he said plainly what he meant.

TWENTY years later, things look a little different. Although Orwell's closest friends have respected his wish that no biography be written, various writers have hurried forward with reminiscences. We know now, if we care to, how unfortunate Orwell was in some of his personal relationships, how unskillfully he rolled his own cigarettes, how incongruous he looked with a shooting stick, how self-consciously he ordered "bitter," the workingman's drink, in London pubs. Most of the tales about him only add to his awkward likability; those which tend to discredit him belittle their tellers. Equally harmless are clumsy attempts to "capture" Orwell as the supposed spokesman for some ideology, usually of the Right. But what seems more surprising, and to some extent more damaging, is the fact that many of his critics tacitly repudiate the dialogue of equals that Orwell established with his readers, and treat him with slight condescension, as if the "misfit" label had stuck.

By selective quotation from the critics, it would be quite possible to "prove" that none of George Orwell's books was worth reading. Take your pick. Is it *1984*? For Anthony West, most of its terrors are "infantile," a throwback to some "hidden wound" sustained in childhood. For Tom Hopkinson, in his British Council pamphlet on Orwell, "The world of 1984 is the war-time world of 1944, but dirtier and more cruel"; for Kingsley Amis, on the contrary, it's a "remote nightmare" instead of "the savage *short-range* admonitory satire on political forces that Orwell had it in him to write." For Gilbert Phelps, another British critic, "The writing is far worse than in his pre-war books, tired and flaccid where it is not simply hysterical, while the characterization is shoddy in the extreme."

What about Orwell's prewar books, then? For Wyndham Lewis "his published work before 1939 does not provide many openings for politeness." For Ian Willison, "His general manner, as revealed in his opening sentences, is that of a kind of literary amateur pug, a wild, untutored, knock-'em-cold-in-the-opening-seconds technique," and his books have "Mackenzie-Priestley style catchpenny titles." For John Wain, "Nearly all fail in one way or another to stand up; they are like pieces of furniture with one leg missing—all right as long as they can lean against something solid."

Is *Animal Farm* that something solid? For a Marxist critic, one J. Walsh, it and *1984* are "a couple of horror comics." For Lionel Trilling, it "was overrated"; while even for Wyndham Lewis, who praised it, "the language is business-like and adequate but that is all." It looks, in fact, as if we must fall back to John Wain's conclusion that "The critical statements are the backbone of Orwell's life-work"; but even this is met by Trilling's riposte that Orwell's literary essays, although "almost always very fine," "sometimes . . . do not fully meet the demands of their subject."

As some of these quotations show,

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even Orwell's champions tend to praise him with faint damns. "He is not a genius—what a relief!" cries Trilling. "His lonely courage," says Tom Hopkinson, "involved a concentration on himself." Laurence Brander, the author of one full-length study of Orwell, calls some of his political ideas "slightly ridiculous"; John Atkins, in another, repeatedly speaks of his "plausible" prose. All might in some respects have echoed Wyndham Lewis, who, although comparing Orwell to Sartre, Malraux, and Camus, confessed more than halfway through his essay on him that "up to now it must often have seemed as though I were delivering an attack upon Orwell." Indeed, of all those who have written about him, only Wain, Atkins, and Raymond Williams seem to me to have met him on his own level, man to man.

GEORGE WOODCOCK, in *The Crystal Spirit,* is only a partial exception. Canadian by birth, he lived in England until 1949, and was fairly well known, it seems, in pacifist and anarchist literary circles. His book, as he says, is "a multifaceted study of an author seen against a political and literary background which he and I, as dissident members of the literary left of the 1930's and 1940's, to a great degree shared." He begins it with a sketch of Orwell as he knew him, then considers in turn his work as a novelist, a political writer, a critic, and a prose stylist. Many of his insights are shrewd. He shows that Orwell's early works contain many of the ideas and images of *1984,* thereby scouting the notion—partly put about by Orwell himself—that the book was essentially the product of illness and impending death. He points out the romantic echoes in Orwell's verse—which supply his title—and so sheds light on the nostalgia for Nature in both *1984* and the prewar *Coming Up for Air.* He reveals the parallel between Orwell's view of colonial Burma and his description of England as "a family with the wrong members in charge." He likens the arbitrary moral universe of Orwell's prep school to the existentialist concept of the absurd, showing that Orwell's reminiscences tell us more about his adult preoccupations when he wrote

Ungainly Things

A regular country toad—pebbly,
squat,
shadow-green

as the shade of the spruces
in the garden
he came from—rode

to Paris in a hatbox,
to Lautrec's
studio (skylights

on the skies of Paris)
and stared
from searchlight eyes,

dim yellow; bow-armed,
ate
cut-worms from a box,

hopped
occasionally
among the furniture and easels,

while the clumsy little painter
studied
him in charcoal

until he was beautiful.
One day
he found his way

down stairs toward the world
again,
into the streets of Montmartre,

and, missing him, the painter-dwarf
followed,
peering among cobbles,

laughed at, searching
until long past dark
the length of the Avenue Frochot,

over and over,
for the fisted, marble-eyed
fellow

no one would ever see again
except in sketches
that make ungainly things beautiful.

—ROBERT WALLACE

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them than about an alleged childhood trauma. He refers with approval to John Wain's reminder that "A man has a right to have his opinions criticized at the level of opinion, no matter how many embarrassing anecdotes we can remember about him"; and he does much to rescue Orwell's work from his image as a misfit.

NEVERTHELESS, even Woodcock fails to do full justice to Orwell. He makes one or two minor misstatements; he sometimes adopts a chiding, patronizing tone; and he gets into some arguments in which, to my mind, Orwell comes off best. When Orwell states the paradox that a beggar is a businessman who has chosen an unlucrative trade, Woodcock primly calls the joke "an attempt to explain social standing by highly simplified economic criteria." When Orwell declares that "Patriotism has nothing to do with Conservatism," Woodcock describes his use of the capital C as a "semantic trick" to disguise the fact that "the entire intent of English patriotism is to *conserve* . . . England"—surely a semantic trick in its turn. When Orwell points out that the mental world of P. G. Wodehouse's stories predates the First World War—the point being to explain Wodehouse's innocence about the nature of World War II—Woodcock sees this as a "significantly anxious" attempt to place a favorite author in a favorite Golden Age. And finally, in an argument over wartime pacifism, he cites the Norwegian schoolteachers' passive resistance to the Nazi invaders as if it refuted what he calls Orwell's "irrelevant nonsense" about how British pacifists relied on the navy's protection while they advocated surrender.

What makes it so difficult, still, for Woodcock and so many others to meet George Orwell on his own terms? One reason is that the present generation, as Walter Allen has pointed out, has been influenced less by any one of Orwell's works than by "the idea of Orwell himself and what he stood for, his blunt, suspicious, no-nonsense, anti-romantic attitude, his resolute and ruthless honesty, towards himself and the world about him." Any pungent prose brings out a corresponding tartness in its critics, and Orwell's style creates such apparent intimacy between him and his readers that they feel personally distressed when he fails to live up to their idea of him. Out of disappointment comes their tendency to scold; and out of protective feelings comes Orwell's admirers' impulse to reply.

But there seems to me a second reason why so many writers on Orwell seem to belittle him: the fear that in the last resort he may be right. Certainly, many of his standards were Edwardian, if not Victorian. Atkins's study—in addition to quoting extensively some still uncollected pieces—documents this convincingly, pointing out that Chesterton's *The Napoleon of Notting Hill* also begins in 1984. No one, so far as I have seen, seems to have noticed that the famous perverted slogan from *Animal Farm* —"All animals are equal, but some animals are more equal than others" —may have been derived from an epigram coined by Philip Guedalla in *A Russian Fairy Tale* long before World War II. But if the springs of some of Orwell's feeling about the future lay far back in the past, his vision may not have been unrealistic. We are still eighteen years away from 1984, but its thought-control procedures are in operation in the Far East. And even in the West we seem uncomfortably close to Orwell's pre-*1984* vision of a mechanized urban society in which Nature is tamed, tastes are synthetic, solitude is rare, and the ubiquitous rhythmic throb of music perpetually imitates the mother's heartbeat as heard from within the affluent womb. Perhaps our mistake is not to have listened to Orwell after all.

Inside Vietnam

JOHN MECKLIN

THE LOST REVOLUTION, by Robert Shaplen. *Harper & Row. Hardback $6.95, paperback $1.95.*

Few writers are better qualified to try to make sense of Vietnam than Robert Shaplen, whose *The Lost Revolution* has recently appeared in an updated paperback edition. An Asia hand of twenty years' experience, Shaplen is at once an exceptionally sensitive observer and one of the most indefatigable news diggers in the trade. To readers who have seen his work in the *New Yorker*, it will come as no surprise that his book is a superbly professional job of reporting. As is often the case among good reporters, however, Shaplen is a relentless idealist and some of his judgments are unencumbered by a realistic sense of the possible.

The book is rich in detail of Vietnamese history since the Second World War beyond anything this reviewer has seen elsewhere. Repeatedly the reader comes across significant information that has not been reported in the daily press and often would make front-page news today. Shaplen notes, for example, that the outlawed Cambodian leader Son Ngoc Thanh was maintaining a "secret headquarters" in Saigon where "a visitor" (Shaplen?) in 1965 found him plotting against the Sihanouk régime. Thanh is Sihanouk's archenemy, and the fact that

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he was operating from Saigon no doubt was—and maybe still is—a major factor in Sihanouk's pathological fear of the South Vietnamese and their American supporters.

The Lost Revolution is also valuable for its uniquely intimate accounts of the evolution of U.S. support for Ngo Dinh Diem, of the role played by the controversial Colonel Edward G. Lansdale as an adviser to Diem in the 1950's, of the coup that destroyed Diem in 1963, and of the built-in weaknesses of American diplomacy in general, exemplified by the torrents of needless reporting that flood into Washington from rival agencies to blur the facts and confuse judgments. There is incisive comment on a multitude of current policy issues such as bombing North Vietnam (ineffective, says Shaplen) and negotiating a settlement (dangerously advantageous to the Communists, he says). Future historians are likely to find that this book is the best source material available on the present period—including the dispatches of the U.S. embassy, if they are ever declassified. The casual reader will find that the book is not difficult to put down—it is weakened by too many incidentals and hard-to-remember names of Vietnamese bit players—but the whole sorry story is there for the diligent.

SHAPLEN'S THEME was summarized in the subtitle of the first edition (1965) of the book: "The story of twenty years of neglected opportunities in Vietnam and of America's failure to foster democracy there." This is omitted from the second edition, suggesting that Shaplen himself may have had second thoughts about such an extravagant indictment. He sticks to the point, however, that Vietnamese nationalism was ripe for revolution at the end of the Second World War, and that a succession of U.S. errors was one of the main reasons the Communists were able to capture it. He reiterates the familiar theory that Ho Chi Minh might have become an Asian Tito if the United States had supported him. He complains that U.S. policy in Vietnam has been uniformly "negative," producing a dreary history of futile accommodations. He suggests repeatedly that the United States could have applied "diplomatic leverage" that might have changed the course of history in Vietnam, using verbs like "guide," "influence," "create," and "direct" to describe how we should have treated the French and later the Vietnamese governments. At one point he even proposes that we should have considered "military support" to the Vietnamese nationalists against the French during the early postwar period. Because of this background of failure, says Shaplen, Vietnam today has become "both the conscience and a belated cause of the United States" as we expend lives and treasure to try to redeem ourselves.

Men who have struggled with the Vietnam dilemma inside the United States government will find that Shaplen's book comes uncomfortably close to the bone. This is an author of uncommon good will, an idealist who writes movingly of "what might have been," as he puts it, and whose dreams are shared by many of us. But they are still dreams. The observation is unavoidable that his judgments are essentially an exercise in wistfulness and 20/20 hindsight, and unrealistic in the context of history.

The critical period in Vietnam coincided with the desperate struggle to preserve Western Europe from Communism during the years after 1945—and surely U.S. policymakers were justified in giving first priority to Europe. At the moment when Shaplen would have experimented with Ho Chi Minh as a Tito, the real Tito's air force was shooting down unarmed American transport planes over Venezia Giulia—and the idea of fragmentation within the Communist bloc was a pipe dream. In Eastern Europe, coalition governments with Communist members were falling under Moscow's control, and the Communist Parties in France and Italy were polling alarmingly big votes in free elections. Shaplen charges that U.S. support of French policy in Vietnam during 1948 and 1949 was "foolhardy," which certainly seems true today, but he neglects to note that this was also the testing period of the Marshall Plan when French support was urgently needed, and coincided with the twin shocks of the Berlin blockade and the Communist triumph in China. Even if it had been politically feasible in Congress, which it probably was not, a U.S. challenge to European colonial aspirations in Asia during this period would also have been foolhardy. Compromise in other parts of the world was mandatory to protect our main interest, Europe.

FIVE PRESIDENTS and platoons of other top-level American policymakers have grappled with the problem of Vietnam, and have failed to find a lasting solution short of military intervention. This at least suggests that no other answer existed within the capability of the American political system. It also reflects the fact that the cards were heavily stacked against the United States in Vietnam from the outset, as in the dismal ineptitude of French colonial policy, and that American military intervention probably was inevitable. Shaplen calls intervention a "negative" policy, but he overlooks the important hope that it is buying still more time for the development of non-Communist Vietnamese leadership to set things right, and in effect to recapture the revolution from the Communists. It may be that we have often failed to use our diplomatic leverage to the best effect in Vietnam, but there is also plentiful room for doubt that this kind of pressure on sovereign régimes—particularly with such proud and stubborn peoples as the French and Vietnamese—ever could have changed things enough to spare us the mess we have inherited today.

On balance, *The Lost Revolution* is an immensely worthwhile book, and Shaplen's personal views are a provocative contribution to Vietnam lore. But his credentials to be so critical of American performance in the past are weakened by his failure to come up with specific proposals on what to do *now*. His recriminations are a disservice, moreover, to the Johnson administration's policy at a moment of mounting national doubt. The assertion that the United States was so consistently wrong in the past is not only unfair but tends to reinforce the arguments of those who say we are also wrong to be in Vietnam today—which unhappily is not the case.

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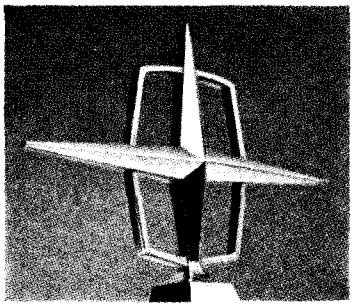

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